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JOURNAL
OF THE
SENATE
OF THE
STATE OF MISSISSIPPI,
AT A REGULAR SESSION THEREOF,
HELD IN THE
CITY OF JACKSON,
1854.

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PRINTED BY AUTHORITY.  
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JACKSON:
BARKSDALE & JONES, STATE PRINTERS.
—1854.

328.7621

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1854

JOURNAL OF THE SENATE

OF THE

STATE OF MISSISSIPPI,

At a regular Session of the Legislature, convened at the Capital, at Jackson, on Monday the second day of January, one thousand eight hundred and fifty-four, and the seventy-eighth year of American Independence.

BE IT REMEMBERED, that on the day and year aforesaid, being the time and place appointed by law for the assemblage of the Legislature of the State of Mississippi, the Senate was called to order by the Hon. Joel H. Berry, the Senator for the county of Tippah.

On motion of Mr. Berry, the Hon. R. O. Beene, the Senator for the county of Itawamba, was called to the Chair as President *pro tempore*.

On the motion of Mr. Steele, M. J. Bunch was requested to act as Secretary of the Senate, *pro tempore*.

Upon calling the roll of the Senate, the following Senators answered to their names:

From the county of Monroe, J. M. Acker.

From the county of Hinds, D. W. Adams.

From the counties of Calhoun and Yallobusha, H. Allen, jr.

From the county of Warren, A. H. Arthur.

From the counties of Copiah and Simpson, M. A. Banks.

From the county of Itawamba, R. O. Beene.

From the counties of Rankin and Smith, Joseph Bennett.

From the county of Tippah, Joel H. Berry.

From the county of Lowndes, Joseph B. Cobb.

From the counties of Noxubee and Winston, Joseph Koger.

From the counties of Claiborne and Jefferson, Henry T. Ellett.

From the county of Marshall, Robert S. Greer.

2153

From the counties of Jasper and Clarke, R. N. Hough.

From the counties of Scott and Madison, William McWillie.

From the counties of Lauderdale and Newton, Jas. J. Monroe.

From the county of De Soto, Simeon Oliver.

From the county of Lafayette, A. H. Pegues.

From the counties of Kemper and Neshoba, John J. Pettus.

From the counties of Leake and Attala, George Pope.

From the county of Tishomingo, A. E. Reynolds,

From the counties of Chicksaw and Oktibbeha, R. G. Steele.

From the counties of Lawrence and Marion, E. C. Stuart.

From the county of Pontotoc, B. R. Webb.

From the counties of Holmes and Sunflower, A. M. West.

The oath of office was then administered to the following newly elected Senators: Messrs. Acker, Allen, Arthur, Banks, Berry, Cobb, Ellett, Greer, Koger, McWillie, Monroe, Oliver, Pegues, Pettus, Reynolds, West, and Webb.

A quorum of the Senate being present, Mr. Berry moved that it proceed to the election of a President, by ballot, which, on motion, was carried.

The President, *pro tempore*, appointed Messrs. Senators Webb and Reynolds to act as tellers.

The result of the first ballot was as follows:

For Mr. Acker.....	5 votes.
For Mr. Drane.....	1 vote.
For Mr. Ellett.....	3 votes.
For Mr. Greer.....	2 votes.
For Mr. McWillie.....	2 votes.
For Mr. Pettus.....	8 votes.
For Mr. Ramsay.....	1 vote.

Mr. McWillie stated to the Senate that he was not a candidate for President of the Senate, and desired that Senators would not vote for him for that position.

Mr. Ellett stated to the Senate, that he was not a candidate for President of the Senate, and desired that Senators would not vote for him for that position.

No Senator having received a majority of the votes on the first ballot, the Senate proceeded to ballot a second time, with the following result:

For Mr. Acker.....	7 votes.
For Mr. Ellett.....	1 vote.
For Mr. Greer.....	1 vote.
For Mr. Pettus.....	14 votes.
For Mr. Reynolds.....	1 vote.

Mr. Pettus having received a majority of the votes cast, was declared to be elected President of the Senate.

The oath of office was administered to him by Mr. Beene, the President, *pro tempore*.

Upon taking the Chair, the President of the Senate made the following address:

Senators: Permit me to return you my sincere thanks for the position you have assigned me. I accept it with less reluctance than I would otherwise have felt, in consideration of the character of the body over which I am called upon to preside. Grave, dignified, and orderly, I do not believe that much skill or effort will be required on the part of the presiding officer, to maintain that order and decorum which have marked the deliberations of the Senate in times past. The convention which framed our Constitution, wisely provided that the Senate should be composed of members who had attained the age of thirty years, and that they should hold their office for a longer time than other officers of the State; thus creating a council of elders which should act as the balance-wheel in the machinery of our State government, giving regularity to its movements, and preventing those too sudden and injurious changes which have characterised popular governments not thus wisely balanced. In a body thus organized, I do not permit myself to doubt but that the presiding officer will always receive from its members whatever aid may be necessary to preserve its order and dignity, and I assure Senators nothing in my power shall be wanting to make our intercourse and deliberations pleasant to all, and no effort spared to render that impartial justice which should mark the bearing of a presiding officer to each and all of the members of the body over which he presides. I am now ready to take the oath of office.

On motion of Mr. Acker,

The Senate proceeded to the election of a Secretary, *viva voce*.

The roll of Senators being called, the result was as follows:

For M. J. Bunch, of Monroe county,

Messrs. Acker, Cobb, Koger, McWillie, and Oliver—5.

For James H. R. Taylor, of Marshall county,

Messrs. Adams, Allen, Arthur, Greer, Reynolds, and Mr. President—6.

For George S. McMillan, of Smith county,

Messrs. Banks, Bennett, Ellett, Hough, Monroe, Pope, Stuart, and West—8.

For Mr. J. R. Chalmers, of Marshall county,

Messrs. Berry and Pegues—2.

For R. D. Shackelford, of Pontotoc county,

Messrs. Beene, Steele, and Webb—3.

No candidate having received a majority of the votes given, the Senate proceeded to vote a second time, as follows:

For Mr. Taylor,

Messrs. Allen, Beene, Ellett, Greer, and Mr. President—5.

For Mr. Bunch,
Messrs. Acker, Adams, Cobb, Hough, Koger, McWillie, Oliver
and West—8.

For Mr. McMillan,
Messrs. Arthur, Banks, Bennett, Monroe, Pope, Reynolds, Steele,
and Stuart—8.

For Mr. Chalmers,
Messrs. Berry and Pegues—2.

For Mr. Shackelford,
Mr. Webb—1. Mr. Webb withdrew the name of Mr. Shack-
elford.

No candidate having received a majority of the votes given, the
Senate voted a third time, with the following result :

For Mr. Taylor,
Messrs. Allen, Greer, and Pegues—3.

For Mr. Bunch,
Messrs. Acker, Adams, Beene, Cobb, Ellett, Hough, Koger,
McWillie, Oliver, Webb, and Mr. President—11.

For Mr. McMillan,
Messrs. Arthur, Banks, Bennett, Berry, Monroe, Reynolds,
Steele, Stuart, and West—9.

No candidate having received a majority of the votes cast, ano-
ther vote was had by the Senate, which resulted as follows :

For Mr. Bunch,
Messrs. Acker, Adams, Beene, Cobb, Koger, McWillie, Oliver,
Pope, Steel, and Webb—11.

For Mr. Taylor,
Messrs. Allen, Arthur, Berry, Greer, and Pegues—5.

For Mr. McMillan,
Messrs. Banks, Bennett, Ellett, Hough, Monroe, Reynolds,
Stuart, and West—8.

No candidate having received a majority of the votes cast, the
Senate proceeded to vote again, with the following result :

For Mr. Bunch,
Messrs. Acker, Adams, Beene, Cobb, Koger, McWillie, Oliver,
Webb, and Mr. President—9.

For Mr. Taylor,
Messrs. Allen, Berry, Greer, and Pegues—4.

For Mr. McMillan,
Messrs. Arthur, Banks, Bennett, Ellett, Hough, Monroe, Rey-
nolds, Steele, Stuart, and West—10.

No candidate having received a majority of the votes given, the
Senate had a sixth ballot, with the following result :

For Mr. Bunch,
Messrs. Acker, Beene, Cobb, Koger, McWillie, Webb, and
Mr. President—7.

For Mr. Taylor,
Messrs. Adams, Allen, Arthur, Berry, Greer, Hough, Oliver,
and Pegues—8.

For Mr. McMillan,
Messrs. Banks, Bennett, Ellett, Monroe, Reynolds, Steel, Stuart,
and West—8.

No candidate having received a majority of the votes cast, the Senate voted a seventh time for a Secretary, and the result was as follows:

For Mr. Bunch,
Messrs. Acker, Koger, McWillie, Pope, Reynolds, and Mr. President—6.

For Mr. Taylor,
Messrs. Allen, Beene, Berry, Cobb, Greer, Hough, Oliver, Pegues, and Webb—10.

For Mr. McMillan,
Messrs. Arthur, Banks, Bennett, Ellett, Monroe, Steele, and West—7.

No candidate having received a majority of the votes given, an eighth ballot was had, with the following result:

For Mr. Bunch,
Messrs. Acker, Adams, Cobb, Ellett, Hough, Koger, and Mr. President—7.

For Mr. Taylor,
Messrs. Allen, Arthur, Beene, Berry, Greer, McWillie, Oliver, Pegues, Reynolds, Steele, and Stuart—11.

For Mr. McMillan,
Messrs. Banks, Bennett, Monroe, and West—4.

For Mr. Shackelford,—Mr. Webb—1.

No candidate having received a majority of the votes given, the Senate proceeded to a ninth ballot with the following result:

For Mr. Bunch, Messrs. Acker, Cobb, Koger, Pope, Reynolds, Steel and Webb—7.

For Mr. Taylor, Mr. President, Messrs. Allen, Arthur, Beene, Greer, McWillie, Oliver, Pegues and West—9.

For Mr. McMillan, Messrs. Banks, Bennett, Hough, Monroe and Stuart—4.

For Mr. Chalmers, Messrs. Adams and Berry—2.

No candidate having received a majority of the votes cast, a tenth ballot was had, and the following was the vote:

For Mr. Bunch, Mr. President, Messrs. Acker, Adams, Cobb, Hough, Koger, McWillie, Oliver, Pope, Steele and Webb—11.

For Mr. Taylor, Messrs. Allen, Beene, Berry, Ellett, Greer, Pegues and Reynolds—7.

For Mr. McMillan, Messrs. Arthur, Banks, Bennett, Monroe, Stuart and West—6.

No candidate having received a majority of the votes cast, an eleventh ballot was had as follows:

For Mr. Bunch, Messrs. Acker, Adams, Beene, Cobb, Ellett, Hough, Koger, McWillie, Monroe, Pope, Reynolds, Steele and Webb—13.

For Mr. Taylor, Mr. President, Messrs. Allen, Greer, Oliver, Pegues and West—6.

For Mr. McMillan, Messrs. Arthur and Banks—2.

For Mr. Chalmers, Mr. Berry—1.

Mr. Bunch having received a majority of the votes cast, was declared elected Secretary.

The oath of office was administered to him by the President.

On motion of Mr. Pope, the Senate proceeded to elect a Door-keeper.

On motion of Mr. Acker, W. B. Cavanah, of Lowndes county, was unanimously elected Door-keeper of the Senate.

Mr. Steele offered the following resolution :

Resolved, That the Secretary of the Senate inform the House of Representatives that they have met and organized by electing the Hon. John J. Pettus, of Kemper county, their President; M. J. Bunch, of Monroe county, their Secretary; and Wm. B. Cavanah, their Door-keeper.

Upon the motion of Mr. Steele, the resolution was adopted.

On motion, the Senate adjourned until three o'clock in the afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Greer introduced the following resolution. which was adopted :

Resolved, That a committee of three, on the part of the Senate, and — on the part of the House of Representatives, be appointed to wait on the Governor, and inform him that the two Houses have met and organized, and are now ready to receive any communication he may be pleased to make to the Legislature.

The President appointed Messrs. Greer, Adams and McWillie, as the committee on the part of the Senate.

Mr. Greer offered the following resolution, which, under a rule of the Senate, lies over one day.

Resolved, (the House of Representatives concurring,) That the two Houses will convene in the Hall of the House of Representatives at twelve o'clock, m., on —, for the purpose of electing a Senator in Congress to fill the Senatorial term commencing on the fourth of March last.

Mr. Ellett offered the following resolution, which was adopted :

Resolved, That the rules of the last session be adopted for the government of the present Senate.

Mr. Beene offered the following resolution :

Resolved, (with the concurrence of the House of Representatives,) That the joint rules for the government of both Houses, adopted at the last session, be adopted as the rules for the government of both Houses, at the present session of the Legislature.

On the motion of Mr. Beene, the rule of the Senate requiring joint resolutions to lie over one day, was suspended, and the resolution was adopted.

Mr. Steele introduced the following resolution, which was adopted :

Resolved, That the editors and reporters of newspapers be permitted to take seats in the Senate chamber.

Mr. Bennett offered the following resolution, which was adopted.

Resolved, That the Ministers of the Gospel, of the several denominations of the City of Jackson be invited to attend, and open the daily sessions of the Senate with prayer.

Mr. Pope introduced the following resolution, which was adopted :

Resolved, That the Door-keeper of the Senate be instructed to prepay the postage on all documents sent off by Senators.

Mr. Webb introduced the following resolution, which was adopted :

Resolved, That the Door-keeper of the Senate be authorized to employ a suitable person to act as page for the Senate during the session.

Mr. Oliver gave notice that, after to-day, he will move for the appointment of a committee to prepare and report a bill to prevent pleas in abatement to the manner of empanneling and drawing Grand Jurors.

Mr. Bennett gave the following notice :

MR. PRESIDENT—I give notice that I will, on to-morrow, or some subsequent day, ask leave of the Senate to introduce a bill granting pre-emption rights to actual settlers on the submerged lands donated to the State of Mississippi, by the General Government.

The following message was received from the House of Representatives :

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate, that they have met and organized by electing Hiram Cassedy, Speaker; E. P. Russell, Clerk; and Thomas W. Flannagin, Door-keeper; and that they are now ready to proceed to business.

The following message was received from the House of Representatives by their Clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution.

Resolved, (the Senate concurring,) That the two Houses will meet in the Representative Hall on to-morrow, at 12 o'clock, m., for the purpose of electing a Sergeant-at-Arms and State Printer.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the joint resolution of the Senate, appointing a committee of three on the part of the Senate and —, on the part of the House, to wait on his

Excelency, the Governor, and inform him that the two Houses have organized and are now ready to receive any communication he may be pleased to make.

And have appointed on the part of the House, Messrs. Starke, Anderson, Ward, Shannon and Rozell.

On the motion of Mr. Bennett, the Senate concurred in the resolution of the House of Representatives, that the two Houses convene, at twelve o'clock, Tuesday, for the purpose of electing a Sergeant-at-Arms and a State Printer.

Mr. Greer, the Chairman of the Committee appointed on the part of the Senate to inform his Excellency, the Governor, that the two Houses had organized, and were ready to receive any communication which he might have to make to the Legislature, reported that the joint committee of the two Houses had discharged that duty, and that the Governor had informed them that he would immediately submit a message to the Legislature.

The following message was then received from the Governor of the State, which was read :

GOVERNOR'S MESSAGE.

Gentlemen of the Senate.

and House of Representatives :

In a Republic like ours, where popular sovereignty is the only acknowledged source of governmental authority ; where civic functionaries have no claim to be recognized, except as servants of the people ; and where all entrusted with political power, of whatever character it may be, or wherever the same is to be put in exercise, are held strictly amenable to public sentiment, when clearly and legitimately manifested : it ought not to surprise any intelligent citizen to learn what is undoubtedly true, I assure you, that so soon as the unexpected result of the late general election in the State of Mississippi had been duly ascertained, I felt disposed at once to resign the office of Governor, and with a cheerful submission to what seemed to be the judgment of my fellow citizens touching my merits as a public agent, to retire quietly and without parade of any kind to the walks of private life. Nor should I have been prevented from pursuing this course by the conviction which, with the knowledge of facts possessed by me, I could not but entertain, that the defeat to which my own political aspirations had been subjected, could not even by possibility have occurred, but for the operation of causes the existence and controlling potentiality of which did not in the least degree imply a want either of integrity or of qualification in the particular individual who was to suffer by their unexpected intrusion upon the canvass. Upon more mature consideration, I have deemed it my duty to remain in the possession of Executive authority up to the present moment, with a view to saving the good people of the State from the inconveniences which could not but be incident to the happening of an *interregnum* in the gubernatorial station ; and I am, therefore, now once more to communicate with you as Senators and Representatives of Mississippi, and to interchange views and sentiments with you, in your official capacity, concerning such matters as seem, at the present moment, to stand most closely connected with the welfare and happiness of those under whose authority it is our privilege to act. Having irrevocably made up my mind to become a citizen, at some very early day, of the newest and most distant State of the Confederacy, it

would, perhaps, seem a little indelicate in me to obtrude my own personal views too freely upon those whom I shall so soon leave behind me, as to the manner in which they are to administer the concerns of a government from the future action of which I shall neither be subject to detriment of any kind, nor be capable of educating the least individual advantage. To suggest, nay, formally to *recommend the laying of burdens* upon the shoulders of others, from the pressure of which I shall be myself exempt, would, perchance, appear not a little ungracious. To counsel public measures, in the benefits expected to arise from which I am not to be a participant, and from a failure of which to meet the public wants and expectations it is impossible that I can be a loser, would not be likely, in all probability, to attract to these measures that amount of popular confidence and support which might turn out to be quite indispensable to their ultimate efficiency for good; were I, under all the circumstances which now surround me, to take a leading part in the provision of legislative arrangements of any kind intended to have a permanent sway over the social morals of a community from which I shall, in a few days, be lastingly dissevered, I feel quite sure that I should bring down upon myself the grave and unpleasant charge of having been guilty of something like impertinent officiousness; had I been differently situated, it was my purpose to urge upon the Legislators of the State of Mississippi the propriety of early action on their part, in regard to several matters quite important to the true dignity and happiness of this prosperous and enlightened Commonwealth; which I may venture to particularize as follows:

1. Prompt and efficient arrangements for the restoration of public credit, and for its future maintenance.
2. The establishment of a liberal and extended system of public education.
3. The granting of all proper facilities for the laying of rail-ways permeating the State, or particular portions thereof, with a view to the development of our vast interior resources of every kind, and to the other inestimable advantages sure to result therefrom.
4. The thorough reformation of our system of criminal jurisprudence, now so crude and imperfect, that the conviction of the most atrocious culprits is found to be well nigh impossible.
5. The suppression, through the instrumentality of wholesome and constitutional legislation, of the great and growing evil of intemperance.
6. Some competent provision for the definitive settlement of the delicate and perplexing question of State indebtedness, by the action of the people themselves, in their sovereign capacity, separate and apart from all the ordinary political elections, and in such a manner as to save the honor of the State from lasting degradation.
7. The increase of certain official salaries, evidently at this time wholly inadequate to recompense the public service expected to be rendered by those to whom these salaries are paid. For the reasons already made known, I shall not at present dilate upon any of these

topics, leaving the hints which have thus been incidently thrown out to be acted upon, or to be disregarded entirely, as to the Legislature may seem most wise and proper.

I have the honor herewith to transmit several official reports emanating from important civic functionaries closely connected with the government of the State ; to all of which I invite your attention, and I do moreover commend the various suggestions set forth in the same to your favorable consideration.

There is a subject not embraced in either of said reports, and of great importance in itself, upon which I think it best to submit a short statement, referring you for fuller and more detailed information upon that and several kindred matters, to the office of the Secretary of State, who is not required by any present law to make a formal official expose of the general business of his department, either to the Governor of the State or to the Legislature.

By an act of Congress, entitled, "an act to enable the State of Arkansas and other States to reclaim the swamp lands within their limits," approved Sept. 28, 1850, all the submerged lands within the limits of this State, at that time owned by the United States, were granted to this State for certain purposes specified in said act. Under the provisions of the 13th section of an act passed by the Legislature of this State, entitled, "an act for the construction of a levee," &c., approved March 15, 1852, the Secretary of State issued "scrip" or "land warrants" (in quarter sections,) to the amount of 600,000 acres, to the counties of De Soto, Tunica, Coahoma, Bolivar, Washington, and Issaquena ; and under the 18th section of said act, he issued scrip or warrants to the amount of 300,000 acres, which were placed in the State Treasury, as the act provided. By virtue of the 4th section of an act, entitled, "an act for the reclamation of swamp and overflowed lands," &c., approved March 16, 1852, the Secretary of State has issued scrip or warrants to the amount of 20,000 acres to the county of Leake, and delivered the same to the agent of the board of police of said county. He has also issued scrip or warrants to the counties of De Soto and Tunica, to the amount of 136,000 acres, as directed by the first section of an act entitled, "an act to appropriate to the counties of Tunica and De Soto 136,000 acres of swamp and overflowed public lands," &c., approved October 28, 1852. The whole amount of scrip which has thus been issued, is 1,056,000 acres, a large portion of which has been located. The Governor of the State was directed to appoint agents to locate swamp and overflowed lands, by the 3d section of an act entitled, "an act in relation to the locations of the swamp and overflowed public lands," approved March 16, 1852, and by the first section of an act approved October 21, 1852, amendatory thereof. Commissioners were appointed by me, under these laws, for the several land districts in the State, some of whom have reported locations made by them, and their reports have been confirmed by the authorities at

Washington City ; others have not yet reported. About 1,800,409 acres of swamp and overflowed lands have been located and confirmed to the State, under the act of Congress before mentioned ; and there remains in the State a large quantity of lands of that character, no report of which has yet been made.

I am aware that it has been usual for the Executives of the different States, in a communication like the present, to enter quite minutely into a review of all that may have occurred in connection with the Government since the last Legislative session, and especially to supply a pretty copious narrative of their own acts during such period. Seeing nothing in the constitution of the State which requires the pursuance of such a course by me, and not discovering any public good which is likely to result therefrom, I shall be content to leave ample evidence on record, by which my conduct in any particular instance may be conveniently and authentically ascertained, should a necessity hereafter be supposed to have arisen for special and severe scrutiny ; nor do I doubt that it will be found by such as may choose to look into the matter, that I have, at all times, and under all circumstances, since the commencement of my official term as Governor of Mississippi, attended with diligence and perfect fidelity to the duties devolved upon me as such by the Constitution and laws of the State.

Here, gentlemen, I should be pleased to close the last communication which in an official character it is at all likely I shall ever make to the chosen Senators and Representatives of the Mississippi Legislature, in General Assembly convened ; but events have recently occurred, which in my judgment render it not less a duty which I owe to my own reputation, than to the *truth of history*, to advert, in a dispassionate and courteous manner, to certain topics, which, though at one time involving to an extent truly painful and deplorable, strong local and personal feeling, it is to be hoped, are, at this season of comparative serenity and repose, susceptible of being coolly and soberly examined, without supplying just cause of offence in any quarter.

With this view of the matter, I proceed to say, in formal contravention of what has been gravely asserted elsewhere, that I was elected to the office of Governor, not as an enemy of *State rights* properly understood ; — not as an opponent of the Virginia resolutions of 1798, as exposed by their own immortal author ; — not as a *latitudinous interpreter* of the Federal Constitution ; — but as the reverse of all these — in a word, as a National Democrat, of the faith of Jefferson and Madison and Jackson ; true to the Constitution, true to the time-honored principles of the National Democratic creed, and true to the *Compromise and the Union*. To state the contrary, is to state what all Mississippi knows to be flagitiously untrue ; and what every Senator and Representative to whom this Message is transmitted equally knows to be without a shadow of foundation. In the contest for Governor in 1851, there was but

one issue, and that was the issue of *Union or disunion — acquiescence in the Compromise enactments of 1850, or resistance thereto*. He who either states or suggests that there was any other issue than this, either states or suggests that of which he is grossly ignorant, or that which he knows to be false. Nor will I allow so glaring and unpardonable an attempt to pervert well known and well attested public facts, so seriously involving my own character, both personal and official, and so discreditably implicating the honor of the State in which I have so long resided, to pass either uncontradicted or unrefuted. Before I go more deeply into the point under examination, I shall take the precaution to guard against misconstruction, on three points :

1. In nothing that I shall say, will it be my intention to cast any reflection upon the President of the United States. *Self-respect* and reasons of *official comity*, if no other motive restrained me, would prevent my applying to this personage language fairly subject to objection on the score of discourtesy or apparent unkindness.

2. I hope that in what I feel constrained to say in reference to past scenes, no one will understand me as calling in question the motives and character, the integrity and patriotism of the great body of what was known as the State Rights or Secession party of Mississippi of 1851. Circumstances did undoubtedly exist at that period, the nature of which would justify at this time the exercise of quite a liberal allowance for error committed in the absence of that invaluable instruction which has since been so happily supplied by *experience*.

3. Neither in paragraph, sentence, nor line of this address, do I desire to be regarded as alluding in the least degree in the way of comment, favorable or unfavorable, to certain mercenary scribblers for the press in this State and elsewhere, who have been assailing me for years past with the coarsest revilement and the most unfounded calumnies. The truth is, that I have never attached any particular importance to the efforts of this class of persons to do me injury ; I seldom even glance at the absurdities which they publish ; and I never behold their ridiculous and ungainly attempts to wriggle themselves into adscititious consequence, as the majestic *controllers of public sentiment*, without being forcibly reminded of what Mr. Burke says in reference to certain obstreperous impertinents of his own day, concerning whom his language is as follows :

“The vanity, restlessness, petulance, and spirit of intrigue of several petty cabals, who attempt to hide their total want of consequence in bustle and noise, and puffing, and mutual quotation of each other, make you imagine that our contemptuous neglect of their abilities is a general mark of acquiescence in their opinions. No such thing, I assure you. Because half a dozen grass-hoppers under a fern make the field ring with their importunate chirp, while thousands of great cattle, reposing beneath the

shadow of the British Oak, chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that, of course, they are many in number; or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome insects of the hour."

Having disposed of these preliminary points, I now proceed to *put on record*, with a view, if possible, to imperishable notoriety, and in a manner somewhat consecutive, a few leading *facts*, which will serve to illustrate the true character of the contest through which the friends of the Compromise and the Union were compelled to pass in the summer and autumn of 1851. I have already averred that the *only issue* known in that struggle was that of *Union or Disunion, Acquiescence or Secession*; and I will now sustain this averment by more evidence than would be deemed necessary to ensure a verdict of conviction for murder, high-treason, or any other crime whatever known to the grim calender of juridical offences.

It will be recollected by all to whom I now address myself, that early in the month of March, 1850, a point had arisen, in the progress of debate in the National Senate, of the greatest importance; a point upon which the fate of the Union itself was to turn, in more than one of the Southern States in the Confederacy, in the course of a few months thereafter. I invite attention to a parliamentary scene which will be recollected by those who have been regular readers of the Congressional Globe; in which it appears that, on the 4th of March, Mr. Calhoun came into the hall of the Senate and assumed his accustomed seat in that body, which he continued quietly and with peculiarly grave and severe dignity to occupy, whilst a patriotic and high-souled Virginia Senator, read in hearing of the Senate and of a vast concourse of attentive auditors besides, the last great speech which that giant mind of the South was ever to originate, to endue with shape and consistency, and to enstamp with the impress of his own immortality. The acknowledged purity of the man, his long and useful course of public service, and the sinking condition of his physical system, lent great additional force to that powerful logic, that burning invective, and those terrible prophetic warnings which pointed to the gulf of national ruin that seemed fearfully to yawn almost in sight of those who listened to that majestic Philippic, against the Abolitionists of the North and those in alliance with them. I only say what I have always heretofore declared, that no one more highly admired, or more warmly *approved*, the greater part of that harangue than I did. But there was one feature in it that alarmed me greatly, and, as I yet think, most naturally. I allude to that part of the speech which set up a formal demand for an amendment of the Federal Constitution, as indispensable to the settlement of the Slavery question; as indispensable to the maintenance of the Union. When I reflected upon all the circumstances then existing—the ex-

treme excitement which prevailed in the opposite sections of the Confederacy ; the anticipated meeting of the Nashville Convention ; the obstinacy with which the advocates of the *non-action* policy of President Taylor seemed determined to adhere to that strange policy ; when I pondered upon the menacing language which the *Higher-law Champions* were every day fulminating in both Houses of Congress, and adverted to the bold attitude which several of the Southern States had already taken ; I could not but believe that if an amendment to the Constitution should be insisted upon by the South, as a *sine qua non* to settlement, the severance of the *people* of this region, or at least a large portion thereof, from their Northern brethren, must prove inevitable. I still cherished hopes of some ~~such~~ adjustment of all the disputed questions as was afterwards secured ; and, therefore, I lost no time in respectfully, but earnestly, protesting against Mr. Calhoun's demand of a Constitutional amendment, which I was perfectly certain would not be accorded by those upon whom it was made, and which I could not even suppose to be in the least degree necessary. I will not dwell upon this delicate and painful subject ; but invite attention to a part of the curious dialogue reported in the Congressional Globe to have occurred on the occasion referred to between Mr. Calhoun and myself. It is as follows :

“MR. CALHOUN.—I will say, and I say it boldly that as things now stand, the Southern States cannot with safety remain in the Union. As things now stand, I appeal to the Senator from Mississippi, if he thinks that the South can remain in the Union upon terms of equality ?

MR. FOOTE.—We cannot, unless the pending questions be settled ; but, in my opinion, these questions may be settled, and honorably settled, within ten days.

MR. CALHOUN.—Does the Senator think the South can remain in the Union upon terms of equality, without a specific guarantee that she shall enjoy her rights unmolested ?

MR. FOOTE.—I think she may, without any amendment of the Constitution. There we disagree.

MR. CALHOUN.—*Yes, there we disagree entirely.*”

The Nashville Convention assembled in the month of June, just three months after this scene in the Senate. Upon its unfortunate and most ill-judged proceedings, I shall not now remark. I have always thought that the gentlemen who attended that ill-starred Convention were, for the most part, well-intentioned persons, but that they labored under two serious obstacles to wise and wholesome action : *undue excitement*, and *want of accurate information in regard to the state of things then existing*. Let this topic pass. In order to avoid giving offence to many citizens whom I sincerely respect, and with whom I could not help more or less sympathizing two years ago, when in a state of such unhappy and surprising delusion, I shall likewise pretermit all regular mention in

this place of the second Nashville Convention ; its alarming resolutions ; and its still more alarming speeches—Mr. Cheves' and the rest.

The Congress which adopted the Compromise measures, and which, by adopting them, as all sensible men know, *saved the Union*, adjourned early in the autumn of that year, and I returned once more to my own home, hoping to enjoy a little quiet and respite from labor and solicitude, and even hoping to find my fellow-citizens of Mississippi prepared to receive me cordially and to accord to me at least the credit of having been actuated, whilst in Washington, in supporting the measures of Compromise, by worthy and patriotic motives. It was my sincere wish to harmonize, as far as possible, with my respected constituents, and I was equally desirous of avoiding all controversy with my Congressional colleagues touching the questions upon which we had so unhappily differed whilst the Compromise measures had been the subject of discussion in the National Legislature. I even made some attempts, ere I left Washington, to get these gentlemen to agree to unite with me, after we should have gotten back to Mississippi once more, in urging our fellow-citizens (in conformity with what had already been the action of Virginia, Maryland, and other States of the South) to lose no time in organizing upon the basis of Acquiescence in the Compromise. All my efforts were fruitless. Madness ruled the hour. The seat in the Senate then held by me was to be filled again by election, at the next regular session of the Legislature ; and it was obviously hoped by some, whom it would be quite easy to name, that if a Legislative vote of *censure* could be obtained against me, it would become quite easy to prevent my re-election to the Senate. On reaching the city of Vicksburg, *en route* to the capital of the State, I was gratified at meeting with the distinguished gentleman who was then acting as Governor of Mississippi—General Quitman—and having an opportunity of holding a frank and friendly interview with him, touching the existing condition of things ; in which interview he unfolded to me, without reserve, the objects which he proposed to attain by convoking the Legislature of the State in special session, as he had already announced his determination to do. I was greatly shocked to learn the nature of the recommendations which Governor Quitman would deem it his duty to make to the Legislature, on the assemblage of that body, which was to take place in a few weeks ; and took such steps to obviate the threatened mischief as I deemed expedient. These I shall pass by. The Legislature assembled at the State Capitol. All my colleagues (save one, Mr. Thompson) were in attendance. A vast multitude of our citizens rushed to the theatre of action, to find out what was likely to be the result of the extraordinary movements rumored to be in progress. The Governor's special message was sent in to the two houses of the Legislature ; not though before it had been shown to many of his prominent political friends and their

approval of its contents obtained. After the reception of the Message, night after night, large assemblages of our citizens took place in the State Capitol, which were addressed in fervent harrangues by the present Secretary of War, Colonel Davis, and by other gentlemen, in warm approbation of Governor Quitman's Message, and of his general course ; and although some of these personages have attempted since to shuffle off the whole responsibility of what they were then so warmly counselling and abetting, I do not intend that they shall thus escape. I am prepared to maintain, moreover, that if any one is to blame for the expedients at that period resorted to, Governor Quitman is far less to be condemned than are those who, having supplied him with the information upon which he had proceeded to act, and having incited him to all that he attempted, afterwards—when they found that the people of Mississippi were about to pronounce against their chosen remedy of *Secession*—abandoned the gallant and high-spirited citizen whom they had so grossly misadvised, to the fate which they saw was about to befall him, and ingloriously skulked from the vindication of measures which I am persuaded would never have been thought of, but for their *superserviceable and meddling officiousness*. The following extracts from Governor Quitman's Message will serve to show the character and extent of the danger to which the public peace was at that time exposed. After discussing the merits of the various Compromise measures in detail, and denouncing all but one of them in the strongest language, he says :

“To resolve again that we will not submit to *farther aggressions* after our former resolutions have been so contemptuously disregarded, and after we have been virtually stripped of every acre of the public domain, would but invite further aggressions, if it did not justly subject us to the scorn and contempt of mankind.” * * * After recommending the assemblage of a Convention, “with full and ample powers to take into consideration our Federal Relations, the aggressions which have been committed upon the rights of the Southern States, the dangers which threaten our domestic institutions, and all kindred subjects ; and jointly with other States, or separately, to adopt such measures as may best comport with the dignity of the State, and effectually correct the evils complained of ;” and after recommending to the Legislature “to devise and carry into effect the best means of *redress for the past*, and to obtain certain security for the future ;” Gov. Quitman presently proceeds to say : “The Union of these States has been so grossly perverted from its original purpose, as to render its *further continuance* incompatible with the honor, the prosperity, and the safety of the slaveholding States, unless some correction of past aggressions, and some additional and *more effectual guarantees* for our future protection be obtained from our associates in the Confederacy.” He then presently afterwards uses the following bold and unequivocal language :

“ When I reflect upon the pertinacity with which the assaults upon our rights have been for years prosecuted, the evident increase of anti-slavery sentiment at the North, and the excitement there pervading nearly all classes against the law to provide for the extradition of fugitive slaves, I have little hope left that these guarantees, indispensably necessary to our safety, will be yielded by a majority, flushed with recent victories, and encouraged by apparent divisions among ourselves. Yet to leave no effort at conciliation untried, and still further to unite with us those of our own people, who still look for a returning sense of justice in the North, let the propositions be distinctly made to the people of the non-slaveholding States, to remedy the wrong so far as it may be in the power of Congress to do so, by obtaining from California concessions south of 36 deg. 30 min. or otherwise ; and to consent to such amendments of the Federal Constitution as shall hereafter amply secure the rights of the slaveholding States from misconstruction, and from further aggression. But in the event of refusal, I do not hesitate to express my decided opinion, that the only effectual remedy to evils which must continue to grow from year to year, is to be found in the prompt and peaceable secession of the aggrieved States.”

In the *double* canvass for the office of Governor, through which I reached the position which I shall continue to hold for a few hours only, Gov. Quitman, it is known, was the candidate *primarily* nominated against me, upon the basis of resolutions adopted by the State Rights Convention (so called) of June, 1851. Let me do justice, whilst I may, to a most meritorious and high-souled opponent, who fought out the contest of 1851, as long as any hope remained to him of eventual success, with gallantry, resolution, and true energy ; and who, when he saw that the people were decidedly hostile to the policy which he had been induced to recommend, retired gracefully and even with an increase of dignity, from the field of contest. It is not *such a man* as this, that would be willing to obtain station at the expense of his most cherished principles, and who, when argument and persuasion should fail to conciliate popular support and sympathy, would be seen to stoop to *low intrigue*, and the most unscrupulous management and trickery, in order to secure by such ignoble means, the reward of an insatiate ambition. The Hero who won immortal glory at the Gate of Belen ; who unfurled the *first flag upon the walls of Mexico* ; and who, afterwards, with distinguished honor, filled the place of first North American Governor of the Mexican capital, was utterly incapable of abasing himself so profoundly, as the exigency in which he found himself involved seemed clearly to indicate to be indispensable to political success ; and he resolved to preserve his reputation from discredit, and maintain the dignity of his character in undiminished splendor, by yielding a manly and becoming deference to the unmistakeable tokens of public sentiment. Let me be allowed here to say, that I

have never been the enemy of this most worthy and patriotic citizen; I have, before now, defended his reputation, when illiberally assailed by others, with a zeal which could not have been surpassed, and I have on more than one occasion yielded him a warm political support, and for very high station, too, when others who have hypocritically professed to be friendly to him, were striving to undermine and to degrade him by expedients too disgusting even to be more than alluded to at present.

Upon General Quitman's ceasing to be a candidate for Governor, the present Secretary of War, Col. Davis, at the instance of a small squad of ultra secession admirers of his, determined to become my opponent. Whether the issue which had marked the contest between Governor Quitman and myself was at all modified by this new and most dexterous movement, may be ascertained by looking for a moment into a few particulars which I shall now bring forward. I have already referred to certain nocturnal meetings which were held in the State House, in Jackson, immediately after the emanation of Gov. Quitman's message, and have stated that these meetings were addressed by several distinguished personages. The speeches delivered on these occasions were not published at length in the newspapers of the day; the nearest approximation, therefore, which I can, at this time, make to collecting the now scattered odors with which they were so reeking and redolent, will be to set forth herein two spicy articles, of a purely *descriptive* character, which appeared at the time in the columns of two well-known journals, the *peculiar celebrity* of which will most happily save me from the necessity of writing a single syllable by way of *delineation*. The first of these publications which I shall exhibit is taken from the columns of the Natchez Free Trader. Here it is:

"Our able and eloquent fellow-citizen, Gen. Felix Huston, was called upon, and in his usual style of eloquence, kept the intelligent audience for an hour and a half wrapped in breathless attention, except every once in a while when he would say he was for *Secession* or *Disunion*, the house would fairly ring with approbation. The General really surprised many by his burning eloquence. He was followed by Col. JEFF. DAVIS, WHO APPROVED, 'verbatim' of Gen. Huston's address,—said he was for *resistance*, and did not want the stain of degradation upon Mississippi, nor would he submit to it."

The editorial in the Mississippian, noticing the same scene, refers specially to two gentlemen, Col. Davis and Col. Featherston, employing this language:

"They considered our rights violated by the action of the last Congress, and were in favor of the South [devising some remedy, and creating some platform; they were prepared to exhaust every means for a remedy to these aggressions in the Union, and if that remedy could not be thus attained, they were then ready to fall back upon our reserved rights, and seek a remedy out of the Union."

Pretty plain language this, as all will readily acknowledge ; but only in keeping notwithstanding with that of a celebrated letter which appeared about the same time in all the newspapers of the day, over the well known signature of "JEFF. DAVIS." This letter was written in reply to certain interrogatories which had been propounded to him in a communication drawn up by several prominent members of the State Legislature. The only extract which it is at all important to insert here, reads thus :

"I am in favor of the execution of the plan indicated by the State Convention of October, 1849, the address of that Convention to the slaveholding States, and by the Legislature of the State at its last session, which I consider may be stated thus : to submit the question to the people, in a law, for the assembling of a Convention of the State, to consider of and decide on our present condition and future prospects ; and the measures which should be adopted. To prepare for the defence of the State, *armed* if need be. To propose a Convention of the slaveholding States, to be composed of formally elected delegates, which should unite all those States who were willing to assert their equality, and right to equal enjoyment of the common property. The States thus united should, in my opinion, demand of the other States, such guarantees as would secure to them the safety, the benefits, the tranquillity which the Union was designed to confer. If granted, the minority could live in equality under the temple of our federal compact ; if refused, it would be conclusive evidence of the design of the majority, to crush all paper barriers beneath the heel of power ; the gulf of degradation would yawn before us. The equality to which we were born being denied, and the alternative of slavish submission or manly resistance being presented to us, I shall be in favor of the latter. Then, if full provision has been made, in the preparation of arms, of munitions of war, of manufacturing establishments, and all the varieties of agriculture to which our climate and soil are adapted, the slaveholding States, or even the planting States, may apply the last remedy—the final alternative of *separation*, without bloodshed or severe shock to commercial interests."

The next evidence which I shall present here, is a second article from the Natchez Free Trader. It is dated the 21st of June, 1851, and is glowingly descriptive of a scene in the June Convention, the body which nominated Governor Quitman as my opponent. It runs thus : "Soon after the organization of the Convention, a committee on resolutions was appointed, also a committee to wait on the Hon. Senator Davis, with an invitation for an address from this distinguished statesman and patriot ; who responded in one of the most impressive and statesman-like speeches it has ever been our lot to hear. *He defined his position in a most emphatic and unmistakable manner, and declared that for one he would never rally to sustain the flag of Mississippi waved at half mast.* Only when its broad and fearless folds floated from the *topmast* would he feel

proud of his State, and battle for glorious and imperishable rights ; and that banner too, should be sustained by the *bold and uncompromising standard-bearer, Quitman*, whose *message* and its explanations, which he had the good fortune to hear from the veteran's own lips, he fully *approved and endorsed*."

It would be extremely easy to multiply proofs on this head ; but I shall forbear to do so. I shall only here remind honorable Senators and Representatives, that both my distinguished opponents for the office of Governor, in every speech made by them, as candidates, urged the people of Mississippi to *co-operate* with South Carolina, then supposed to be bent on Secession ; that the *soi-disant* State Rights Convention, which assembled in the city of Jackson, on the 8th of January, of the year 1852, (the present Secretary of War being present, and of course exercising a controlling influence over its proceedings,) indignantly refused to adopt an *acquiescence resolution* formally presented for consideration ; and that Col. Davis himself, in the city of Jackson, as late as midsummer of the same year, delivered, in the hearing of a large concourse of his fellow-citizens, a speech in ratification of the nomination of Messrs. Pierce and King, in which he took occasion to re-affirm all his old views and sentiments, and denounced the Compromise of 1850, as the "*hated Compromise* ;" which last material fact neither the Secretary of War nor any of his exorbitant bepraisers will, I am sure, ever have the temerity to deny.

I turn now, gentlemen, with feelings of sincere rejoicing, to a state of things wholly different from that which I have been describing. Within the last two years, both the great National parties of the country have fully recognized the *wisdom*, the *justice*, and the *constitutionality* of the Compromise enactments. The great and salutary *finality principle*, once so much ridiculed and scoffed at by the shallow pretenders of the hour, now commands the homage and veneration of all true patriots. A President and Vice President of the Republic have been elected, pledged in the most solemn manner to carry these enactments into full operation, and to suppress, by all legitimate and proper means, all attempts to oppose or counteract them, or to weaken their validity or efficacy by proceedings of any kind calculated to bring them into discredit. In the name and by the authority of a vast majority of the free voters of the Republic, did President Pierce, on the 4th day of March last, in his Inaugural Address, delivered in the presence of one hundred thousand of his approving countrymen, declare :

" *I hold that the laws of 1850, commonly called the Compromise measures, are strictly constitutional, and ought to be unhesitatingly carried into effect.* * * * * *To every theory of society or government, whether the offspring of feverish ambition or of morbid enthusiasm, calculated to dissolve the bonds of law and affection which unite us, I shall interpose a ready and stern resistance.* * * * * *We have been carried in safety through*

a perilous crisis. Wise counsels like those which gave us the Constitution prevailed to uphold it. Let the period be remembered, as an admonition, and not as an *encouragement* in any section of the Union, to make *experiments* where experiments are fraught with such fearful hazard. Let it be impressed upon all hearts, that beautiful as our fabric is, no earthly power or wisdom could ever re-unite its broken fragments."

Eloquent and impressive words! Bold and manly assertion of *principle*! Solemn and imposing pledge "*to interpose a ready and stern resistance to every theory of society or government*" calculated to dissolve the bonds of law and affection which unite us" as a People! If anything could impart additional emphasis to these deliberate utterances of opinion and intention on the part of the Chief Magistrate of the Republic, such emphasis would be supplied by the well attested historic fact, that President Pierce, anterior to his sending to the Senate his Cabinet nominations, demanded of each of those whom he was about to bring into such close affiliation with him, that he should yield his *formal and hearty approval* to the Inaugural, and to every essential feature thereof. How exceedingly refreshing it was to behold what occurred only a few months subsequent to the installation of the new President; when that high functionary was upon his journey to the grand commercial Emporium of the Union, for the purpose of surveying the startling wonders of the far-famed Crystal Palace—how refreshing it was, I say, to behold what occurred in the progress of that celebrated journey! It is, of course, in the memory of all, that the Secretary of War himself was put forward at the Monumental City, to deliver a regular *Union speech*, in which he uttered that glowing rhapsody upon "*the star-spangled banner*" of his country, which was indeed almost worthy, in point of *fervor*, of the immortal bard himself who tuned his harp on board a British prison ship to sing the undying glories of a *united sisterhood* of States; and in honor of whose National emblem he inspired all America to break forth in united chorus:

"*Oh long may it wave*

O'er the land of the free and the home of the brave."

But this was only the beginning: for at Wilmington, in the patriotic State of Delaware, a still more decisive manifesto of political *orthodoxy* was made. Then the self same Secretary, (who was a few hours subsequent to deliver one of the most thoroughly *National* speeches in the city of Philadelphia that has ever been spoken,) formally *re-pledged* the President to execute all the pledges enunciated in his Inaugural, (including of course that vital one touching the *theory of Secession*,) in these words:

"He (President Pierce) gave you in his Inaugural Address a *declaration of those principles* which he so manfully maintained on the floor of the House of Representatives and in the Senate of the United States; and he gave to you, with a heart within his breast

worthy of a son of Ben Pierce, a resolution to *execute all to which he had pledged himself.*" By the time our new champion of the Constitution and the Compromise reached the city of Trenton, his mind had become perfectly satisfied of "the *consummate completeness*" (to use a happy expression of Mr. Attorney General Cushing, in the Supreme Court of the United States the other day,) of the Federal Constitution, without any of those "amendments" "additional guarantees," and what not, for which he had formerly contended; and accordingly, in the said city of Trenton, he proceeded to deliver himself of the following sententious and striking *expose* of opinion:

"The Constitution is our bond of Union. (Something more, my dear Mr. Cheves, than a "foetid and loathsome mass of corruption.") It holds these States united. The wisdom of our Fathers has been exhibited year after year, until it is hardened into the affection of their sons, so that I cannot conceive of the day when that bond can be broken." How forcibly might not the patriotic Secretary have rounded off this part of his harangue, in the felicitous language of New England's noblest orator, and have said:

'I have not coolly weighed the chances of preserving liberty when the *bonds that unite us shall be broken asunder.* * * * When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, with fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in all their original lustre—not a stripe erased or polluted, not a single star obscured—bearing for its motto, no such miserable interrogatory as What is all this worth? nor those other words of delusion and folly,—Liberty first, and Union afterwards,—but everywhere, spread all over in characters of living light, blazing on its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart,—Liberty and the Union, now and forever, one and inseparable."

Though the Secretary of War was perhaps not quite ready when at Trenton to adopt as his own, and repeat with emphatic enunciation, these noble sentences from the great Champion of the Constitution and the Union—(being in all probability not so thoroughly *converted* at the time as would have been desirable;) yet is it true notwithstanding, that after travelling a few weeks through the heart of New England, and finding his *Nationality* of spirit deepening and widening at every step of his journey, he found himself on arriving at the renowned city of Hartford, prepared to break forth, to the delight and edification of all who heard him, in such a strain of fiery and fervent patriotism, (evincing the absence of everything

like *sectionalism*, and want of confraternal feelings with his fellow-citizens of that celebrated manufacturing vicinage,) as might well have raised a doubt whether he was in truth the same secession chief, who had so lately urged upon his fellow-citizens of the South the policy of securing their *independence* and *equality* "out of the Union," and who had been eager, even for the adoption of warlike expedients, if these should be found necessary, in order to procure exemption from the oppression and injustice of the Compromise enactments. I have the satisfaction now of laying before you, gentlemen, the following charming extract from this same Hartford harangue, and I am glad that I can conscientiously commend the same to your approval. I give it to you just as it appeared, and without contradiction, in the columns of the *National Intelligencer* :

"Col. Davis alluded to his visit North: Twenty-seven years ago, then quite young, he passed through New England. Progress had been in the 'land of steady habits,' and blessed it with many new sources of power and wealth. The ingenuity of man has set in motion complicated machinery which seems to be endowed with reason. It passes forward and back, transversely, slowly, swiftly, as the nature of the work requires. It cuts hard steel and iron as the joiner's plane shaves the soft pine. These machines, sir, (turning to Mr. Colt,) which we have seen to-day, are wonderful to us of the south and west—really wonderful, sir. They are the surprising results of remarkable ingenuity, and contribute to the common benefit of our common country. Your repeating pistols made in Hartford, are relied upon on the borders of Texas, to protect the men and women of that state from Indian depredations. Northern manufactures are used by Southern families. These and such as these are the means, by which each part is made to realize its dependence on every other, and are the sure bonds of union. The marks of prosperity and happiness are all over New England.—The murmur of the water-fall has been drowned in the roar of the manufacturing city; all is activity, save when a New England Sabbath spreads its all-pervading calm and truly welcomes weary man to a day of rest. From the physical to the moral, from the results of ingenuity and industry, he turned with pleasure to the men of New England. Above all that was grand in their scenery, and admirable in their application of the useful arts, he appreciated them. They were warm-hearted, cordial, hospitable, intelligent. And this he found equally the case where nature wore her most rugged aspect, as when she smiled on such fertile plains as here surrounded them. He could never forget his highland welcome; but when descending from the mountains, this beautiful valley burst upon his view, he realized the feeling of the Hun, who, on beholding for the first time the plains of Italy, exclaimed, 'Here let my home be.' He thought that there was not personal intercourse enough between the North and the South. We should be better acquainted, and understand each other better, in order to which we

should see more of each other at home. Surely the result would be a happy one."

There is certainly much to delight the friends of peace and order in the metamorphosis which my late secession opponent for Gubernatorial honors has undergone since his world-surprising induction into the Cabinet of President Pierce. But there is even yet more cause for rejoicing in what we are now seeing and hearing, even in our own midst. Though personal *prejudices* may not yet be entirely extinct in Mississippi; though *pride of opinion* may still, in a few rare instances, prevent the open acknowledgement of the truth; though the adroit schemings for individual advancement may yet keep alive in some bosoms, an unwillingness to confess the rank injustice which has been inflicted upon those who happened to advocate acquiescence *a little earlier* than altogether suited the particular plans and purposes of others; yet is it true, notwithstanding, that all *open opposition* to the Compromise measures, once so 'hated' and despised, has been at last given up. All our public men profess to stand upon *Acquiescence Ground*—and in the general election which took place among us a month or two since, strange as it may appear, every candidate for office is known to have pledged himself to stand by and to maintain the measures once judged so monstrously unjust, so palpably unconstitutional, and even so audaciously corrupt—and to resist with all the power and influence at his command, all attempts, however and wherever originating, to repeal, to modify, or obstruct, the operation of any and all the acts embraced in the plan of adjustment. There is nothing like this upon the page of history besides; and I could not be easily persuaded that an instance had ever occurred before, so strikingly illustrative of the irresistible potency of Truth, and the intrinsic feebleness of Error, and of Error's champions.

When that far-seeing and lofty-minded statesman, Henry Clay, as early as the autumn of 1850, boldly predicted the *ultimate popularity* of the Compromise enactments; the self-consequential and superficial dogmatists of the hour were not even able to restrain their risibility within decent bounds; and it is known that some of these personages applied in high places to the sage vaticinations of a serene and penetrating wisdom which they could neither comprehend nor appreciate, the language of peevish ridicule and of low-bred facetiousness. But even the prophetic words of the august *Father of the Compromise* have been already more than fulfilled; and it would really almost seem that little remains now to be done, but to carry into execution a few *favorite schemes of political martyrdom*, in order to secure without further delay the advancement of those who so lately strove with a wicked assiduity to embroil the country in all the horrors of war and anarchical lawlessness, to the most dignified posts of civic power known to our republican institutions. Whilst this curious consummation is going on, let me say to that noble body of gallant and high-minded patriots who have

in times past struggled so fearlessly and so perseveringly for the maintenance of law and order, and for the overthrow of faction ; that, though there are some things of which we are hourly hearing, and others which we are constantly witnessing, which cannot be altogether agreeable to us ; yet, in consideration of all that is past, and of all that is so *certain to come*, it behooves us still to be of good cheer ; full of hope ; impervious to despair ; confident of the final and early realization of all that we have desired for our country, and for our principles ; all for which we have so painfully toiled ; all have so fervently offered up our prayers to a benignant and liberty-protecting Deity. Let others enjoy, for the present, the dignity and emoluments of station, and bask in the sunshine of Executive favor, under a Government which they have plotted to destroy, and in a land which, but that their unholy designs were arrested in mid-career, would inevitably have been overspread with scenes of wild confusion and uproar, and been deluged with the blood of American freemen, ignobly shed in internecine strife. Be it *ours* to rejoice in the proud and ennobling consciousness that *we* have been *faithful*, when *others* have been *faithless* ; that we have steadily and fearlessly maintained and defended the revered *principles* of our Fathers, when those principles have been alike in danger from open enemies and from the *insidious kindness of professed friends* ; that we have labored in the good cause of the *Constitution and the Union*, under difficulties and dangers which could scarcely have been surpassed, and under peculiar and astounding *discouragements of late*, which no human being could, twelve months ago, have anticipated, but which discouragements, galling and agonizing as we cannot but feel them to be, we have made up our minds, as lovers of our country, and respecters of our own dignity, for the short period of humiliation and of suffering which may yet be before us, with something of a proud patience and a stern humility, uncomplainingly to endure.

I should feel, gentlemen, that I had indeed performed but imperfectly the task which I have prescribed to myself on the present occasion, did I fail altogether to discuss another topic of equal delicacy and importance which is now, and most justly and naturally, attracting, in a very extraordinary manner, the attention of all enlightened and patriotic citizens. I have asserted, and with perfect sincerity, that the Compromise measures are now generally acquiesced in throughout our own State, and have more than intimated that they have even attained to great popularity among us of late, as well as in other Southern States of the Confederacy. This is, undoubtedly, true ; and by reason thereof, the population of the South may be justly regarded as more united both in spirit and principle at this moment, upon a subject which has been eminently prolific of dissention and discord in times past, than has ever been the case at any former period. The reason of this is most obvious. The South has never demanded anything but the unrestricted

enjoyment of her rights, as solemnly guaranteed by the organic law of the Union. At no period of her history has she sought to encroach upon the rights of the Northern section of the Confederacy, nor has she any interest in so doing. Experience, that sagest of monitors, has demonstrated that, under the Compromise, with proper vigilance on the part of other statesmen, these constitutional rights will be always amply secure. We now know that we have at last the means supplied to us of enforcing promptly and efficiently that provision of the Federal Constitution which relates to the rendition of fugitives from service. We know also, that the ten millions agreed to be paid to Texas for a portion of her territory, so far from doing us detriment, has only had the effect of giving the South, a little earlier and more certainly, the four additional slave States, provided for in the Texan compact of annexation. We understand well now the value of that vital principle of non-intervention, so providently incorporated in the Territorial government bills; and we intend to stand by it, in all time to come, as the very sheet-anchor of our safety. We feel most sensibly and clearly now, that the admission of California, though somewhat informal in the manner of doing it, so far from being injurious to the South, has been greatly beneficial in many respects, and especially in giving us additional votes in both houses of Congress, against Abolition and Free Soil. And lastly, we know that the District of Columbia bill itself, at one time so grievously misunderstood and misrepresented, so far from degrading and weakening our domestic institutions, has positively lent additional strength and dignity to them. Feeling and knowing all these things, it is not in the least degree wonderful that the people of the South are altogether satisfied with the Compromise, and resolved to adhere to it, firmly and faithfully, in despite of all the meddlings of designing Demagogues and Factionists.

But allow me to say, that it would be a most fatal mistake to suppose that the Compromise measures, wise and salutary as they have proved to be, are endowed with any peculiar and mystical power of self-execution. In order to make them really efficient for good, it is necessary that the friends of these enactments and of the public repose should be ever upon their guard, and ready to defeat all schemes whatever, that our subtle and unscrupulous adversaries may set on foot for their overthrow. Let me suggest farther, that it would be a most pernicious delusion to suppose that all opposition to the Compromise has ceased in the free States of the Confederacy. If the period shall ever arrive in the history of the Republic, when hostility to slavery shall become altogether extinct in the North, or when agitation in opposition to it will be entirely discontinued, it is certain that that period has not yet been reached; and in my judgment, there are no more dangerous men in the Republic than those who presume, in the face of most glaring facts to the contrary, to assert that agitation against our domestic institutions is at an end in the North, and who dare with unblushing ef-

frontery to denounce all attempts to keep the Southern mind in a state of quiet and sober watchfulness touching the movements of our covert and most unsleeping foes, as improper and unjustifiable efforts to renew agitation on the subject of slavery. There is no agitation (which is at all censurable, or which can be even with propriety called agitation at all,) except that which may be carried on against the public repose—that is to say, against the Compromise—or, to change the phraseology once more, against the constitutional rights of the South. No one was ever accused before of agitating for the support of law and order; and those who take a different view of the matter, had they lived in the days of the Saviour, would doubtless have accused him also of agitating, because he was so uncompromising in his language of opposition to all violations of the sacred and immutable Laws of Heaven!!

I repeat, *that opposition to the Compromise in the North has not yet ceased*; nor is it by any means certain that of late the number of its enemies has not considerably increased. The *higher law* Factionists still proclaim, in the most ostentatious manner, their determination to struggle for the repeal of the Fugitive slave law, and have formally announced the repeal of this law as the prominent issue in the Presidential contest of 1856. The friends of the Wilmot proviso are yet zealously, but somewhat stealthily, doing all in their power to recuperate their exhausted energies, and are evidently preparing with singular diligence and dexterity to have their favorite restrictive principle incorporated in the Nebraska territorial bill at the present session of Congress. Those dangerous and designing men who in 1848 waged such fierce and unprincipled warfare upon the institutions of the South, as supporters of the Buffalo Platform, are, with but few exceptions, just as hostile, and as determined in their hostility too, to us and to our local interests, (whatever may be most falsely and treacherously asserted to the contrary) as they ever were; and they are doubly dangerous now, by reason of their hypocritical professions of amity. The Dickinsons, the Bronsons, the O'Connors, and their noble comrades in arms, are still gallantly fighting in our defence and for the maintenance of the peace of the country, in opposition to the deadly enemies of both; but how long these fearless champions of principle will be able to maintain their ground with the whole power of official patronage, and a most accursed cabinet influence brought to bear upon them in the contest, is a painful and a fearful problem that the future alone can solve. Certainly, if the South be true to herself at this dread crisis, her friends will be victorious, and Free-soil and Abolition, (cherished into a new potentiality for mischief upon "the spoils of office," and invested with new dignity and influence by the open and most astounding countenance and support of Southern gentlemen occupying high political place) will be seen ere long to sink once more into that contempt to which they were so signally consigned by the

peace measures of 1850. If, on the other hand, the people of the South, in their present happily united condition, shall be guilty of the almost unimaginable crime of abandoning the only friends and defenders of whom they could ever boast in the North, and of allowing these high-spirited and incorruptible men and the sacred principles for which they are so valiantly contending, to be disgraced and put down, no reasonable man can at all doubt that we shall richly deserve the fate which our own baseness will have brought upon us. Never did President Pierce speak more truly or more wisely than he did in his celebrated Lally letter in 1850, when he said: "If we, of the North, who have stood up for the constitutional rights of the South are to be sacrificed to any time-serving policy, then the hopes of the Union and the Democracy must sink together." To co-operate with the President of the United States, in all just and constitutional efforts to guard against the fatal catastrophe so strikingly depicted by him in the memorable words just cited, should be the ambition of every Southern Patriot, to whatever political party he may belong; and I assure you gentlemen most solemnly, that wherever my lot may be cast, I shall stand at all times ready to lend my aid in opposition to any degrading "time serving policy," which may be devised, for the overthrow of "the constitutional rights of the South," and for the ruin of those upon whose indomitable energies rest "the hopes of the Union and the true Democracy" of the Nation. In declaring these views I only use language which I employed several years since, and on more than one occasion, as a Senatorial representative of the State of Mississippi in the National Legislature. I never yet was able to understand that new-fangled political morality which seems incapable of drawing a distinction between vice and virtue; between the upholders of the Constitution and its sacred guarantees, and the lawless opponents thereof—and which, in the bestowal of official rewards, is wholly powerless to discriminate between the most reckless and unprincipled disorganizers, and the most meritorious defenders of the peace and order of the Republic. If those are to be given power and emolument whose chief distinction has arisen from their having perpetrated acts which prove them to be dangerous citizens; if such miscreants, are to be brought up by scores, in order to hold them for a short period of official incumbency in a new and anomalous state of "masterly inactivity," at the expense of principle, by the sacrifice of everything like National honor, and to the discouragement of a high-toned patriotism struggling for the welfare and happiness of the Republic against strong local prejudice and the exhaustless energies of a blind and unreasoning Fanaticism; if all this is to go on in our sight, and we are to be allowed to take no steps to arrest this enormous and most appalling evil; in vain may we hope much longer to preserve the free and wise institutions under which we live, or to ward off the dangers which have so long and so

fearedly menaced the safety and quiet of the South. Let those, who are entrusted with the guardianship of the public honor, and the future security of the State of Mississippi, look to this matter in time, and provide against disaster whilst yet it is possible to do so.

H. S. FOOTE.

EXECUTIVE CHAMBER, Jackson, Jan. 2, 1854.

Mr. Adams moved the printing of the message, when, on the motion of Mr. Acker, the Senate adjourned until to-morrow morning, at 10 o'clock.

ACCOMPANYING DOCUMENTS.

AUDITOR'S REPORT.

AUDITOR'S OFFICE,
Jackson, Miss., December 22, 1853.

To His Excellency, H. S. Foote, Governor of the State of
Mississippi:

SIR: I have the honor to transmit herewith, to your Excellency, a report, showing the receipts and disbursements of public monies of this State, during the period that I was invested with the office of Auditor of Public Accounts.

I took possession of the office on the 12th day of December, 1851, and my term expired, by law, on the 11th day of December, 1853, when I delivered to my successor the office, with the furniture, books, papers, &c., appertaining thereto.

The total receipts into the Treasury, from the 12th of December, 1851, to the 31st December, 1851, both days inclusive, (as reported by me to the Legislature, on the 15th of January, 1852,) were as follows, viz:

On account of redemption of lands	\$ 147 33
“ “ Sinking fund	1,700 00
Total, ...	\$1,847 33

The disbursements, by warrant, during the same period were as follows, viz:

Total, ... \$2,770 26

For a statement of the various accounts upon which these disbursements were made, see my report above referred to, House Journal Regular Session 1852, page 310.

The total receipts into the Treasury, with warrant, from the 1st day of January, 1852, to the 31st day of December, 1852, were as follows, viz:

On account of State tax of 1848.....	\$	5	95
“ “ “ 1849.....		2	07
“ “ “ 1850.....		41	72
“ “ “ 1851.....		193,200	79
“ “ Unexpended appropriations.....		733	80
“ “ Redemption of lands.....		8,469	25
“ “ Chickasaw School Fund.....		13,886	70
“ “ Seminary Fund.....		750	00
“ “ Legislative Department.....		12	00
“ “ Sinking Fund.....		660	00
“ “ Judiciary.....		150	00
“ “ Internal Improvement fund.....		84	80
		\$217,997	08

The disbursements by warrant during the same period, viz : for the year 1852, were as follows, viz :

On account of Legislative Department.....	\$65,873	13
“ “ Judiciary.....	85,147	04
“ “ Executive.....	8,212	25
“ “ Appropriations.....	77,335	44
“ “ Revolutionary Soldiers.....	1,047	26
“ “ Commissions for Assessing.....	9,776	64
“ “ Public Printing.....	6,171	50
“ “ Forfeited Lands.....	1,199	40
“ “ Literary Fund.....	15	42
“ “ Elections.....	2,018	00
“ “ Recording Tax Titles.....	139	60
“ “ Two per cent. Fund.....	8,533	71
“ “ Common School Fund.....	282,989	77
“ “ Capitol Repairs.....	303	15
“ “ Penitentiary.....	16,644	45
“ “ State Library.....	861	60
“ “ Vaccine Agency.....	117	53
“ “ Internal Improvement Fund.....	34,252	50
“ “ Auditor's Contingent Fund.....	1,102	00
“ “ Institution for the Blind.....	2,500	00
“ “ Capitol Expenses.....	307	00
“ “ Executive Contingent Fund.....	4,113	50
“ “ Town Lot Fund.....	1,951	82
“ “ Executed slaves.....	5,428	00
“ “ State Arsenal.....	279	35
“ “ Contingent Fund State Library.....	76	75
“ “ Mobile and Ohio Railroad.....	1,600	00
“ “ State Convention of 1851.....	60	00
“ “ Lunatic Asylum.....	40,000	00
“ “ University of Mississippi.....	20,427	45
“ “ Sinking Fund.....	2,225	78

On account of	Three per cent. Fund.....	18,238 42
"	" Chickasaw School Fund.....	100 00
"	" Distributing Laws and Journals.....	278 51
"	" Levee Fund.....	102,521 70
"	" Attorney-General's Contingent Fund..	100 00
"	" Militia.....	631 09
Total,....		\$802,579 76

Say, eight hundred and two thousand five hundred and seventy-nine dollars and seventy-six cents, showing an excess of disbursements over receipts, for the year ending 31st December, 1852, of five hundred and eighty-four thousand five hundred and eighty-two dollars and sixty-eight cents.

The receipts into the Treasury, with warrant, from the 1st day of January, 1853, until 11th day of December, 1853, both days inclusive, were as follows, viz :

On account of	State tax of 1849	\$ 4 39
"	" " " 1850.....	5 67
"	" " " 1851.....	967 35
"	" " " 1852.....	197,243 12
"	" Appropriations	78 25
"	" Redemption of Lands.....	10,672 14
"	" Chickasaw School Fund	34,103 63
"	" Seminary Fund	4,096 65
"	" Sinking	5,532 68
"	" Judiciary	184 88
"	" Executive Contingent Fund.....	114 25
"	" Tax Sales.....	18,265 37
"	" State Tax of 1847	3 16
"	" Town Lot Fund.....	80 00
"	" Three per cent Fund.....	6,950 00
"	" R. S. Graves' defalcation.....	2,500 00

Making total receipts from 1st January. 1853, to 11th
December, 1853, both days inclusive.....\$280,891 54

The disbursements by warrants for the same period, were as follows, namely :

On account of Legislative Department.....	\$ 234 00
“ Judiciary Department.....	78,819 36
“ Executive Department.....	8,252 22
“ Appropriations Department.....	2,244 18
“ Revolutionary Soldiers.....	300 00
“ Commissions for Assessing.....	5,037 31
“ Public Printing.....	3,282 33
“ Forfeited Lands.....	1,124 40
“ Literary Fund.....	40 42
“ Elections.....	2,972 00
“ Recording Tax Titles.....	285 50
“ Common School Fund.....	2,975 32
“ Capitol repairs.....	140 75
“ Penitentiary.....	9,409 23
“ State Library.....	1,062 88
“ Auditor's Contingent Fund.....	809 63
“ Institution for the Blind.....	1,875 00
“ Capitol Expenses.....	197 20
“ Executive Contingent Fund.....	4,114 25
“ Militia.....	600 00
“ Internal Improvement Fund.....	21,262 04
“ Town Lot Fund.....	750 00
“ Executed Slaves.....	2,125 00
“ State Arsenal.....	113 25
“ Contingent Fund State Library.....	67 20
“ Lunatic Asylum.....	35,000 00
“ University of Mississippi.....	8,616 62
“ Three per cent. Fund.....	3,661 76
“ Chickasaw School Fund.....	10 00
“ Distributing Laws and Journals....	370 92
“ Levee Fund.....	20,858 00
“ Seminary Fund.....	4,096 65
“ State Census.....	2,632 53
“ Locating State Lands.....	162 00
“ Public Health.....	5,676 50
“ Attorney General's Contingent Fund	100 00
“ Commissioners of Swamp Lands....	10 00

Total disbursements from 1st January, 1853, to 11th December, 1853,	{	\$ 229,288 45

In addition to the receipts into the Treasury with warrant, during the periods above mentioned, there has been paid into the Treasury, on account of the Internal Improvement Fund, without

warrant, from the 12th day of December, 1851, to the 11th day of December, 1853, the amount of..... \$213,701 82

Thus, it is seen that the total amount of receipts into the Treasury, from the 12th day of December, 1851, to 11th December, 1853, with warrant, is... 500,735 95

And without warrant, during the same period... 213,701 82

Total..... \$714,437 77

Total disbursements during same period..... 1,034,638 47

Excess of disbursements over receipts..... \$320,200 70

From the foregoing statement of disbursements, it will be seen that I have expended on account of the Auditor's Contingent Fund, during my term of office, the sum of \$1,911 63. The various items of that expenditure are as follows, viz :

Expenditures on account of the Auditor's Contingent Fund, from the 12th December, 1851, to the 12th December, 1853, inclusive.

DATE.	NUMBER WARRANT	TO WHOM ISSUED.	FOR WHAT PURPOSE.	AMOUNT.	
1858.					
January 2...	788	Fearn & Putnam.....	Eleven boxes Candles.....	\$ 189 15	
January 3...	795	Richard Hines.....	Fifty cords Wood.....	100 00	
January 12..	834	L. Juliënne.....	Books for Treasury.....	55 00	
January 20..	894	C. A. Moore & Co.....	Stationery.....	2 00	
February 10.	1000	L. Julienne.....	Books for Auditor.....	42 50	33
March 8....	1151	Rhesa Hatcher.....	Twenty-five cords Wood.....	62 50	
March 18...	1368	L. Julienne.....	Stationery.....	87 00	
March 31....	1404	L. Julienne.....	Stationery.....	10 00	
April 19....	1441	L. Julienne.....	Executive Journal.....	30 00	
May 21.....	128	C. A. Moore & Co.....	Stationery.....	52 20	
June 8.....	218	L. Julienne.....	Books for Auditor.....	102 00	
August 26...	414	L. Julienne.....	Stationery.....	215 35	
August 26...	415	L. Julienne.....	Stationery.....	10 00	
October 7...	513	L. Julienne.....	Stationery.....	37 80	
October 28..	871	L. Julienne.....	Stationery.....	10 00	
November 3..	889	Rhesa Hatcher.....	Thirty-six three-fourths cords Wood...	73 50	
December 21	1085	L. Julienne.....	Book for Secretary.....	23 00	

1583.					
January 5...	1117	C. A. Moore & Co.....	Stationery.....	26	12
January 29..	1189	A. Virden.....	Stationery.....	5	15
February 5..	1203	J. and T. Green.....	Stationery.....	17	17
February 5..	1205	J. and T. Green.....	Stationery.....	3	40
March 1....	1240	J. G. and J. B. Morey.....	Stationery.....	11	35
March 2....	1242	Fearn & Putnam.....	Stationery.....	2	00
March 2....	1243	L. Julienne.....	Two reams Paper,—pens, &c.....	33	20
March 25...	1282	Mary J. Davis.....	Twenty and a half cords Wood.....	53	43
June 1.....	153	George Waller.....	Five cords Wood.....	19	00
June 20	183	L. Julienne.....	Ledger and Journal for Aud. and Sect'y	367	80
July 14.....	223	L. Julienne.....	Warrant Book for Auditor.....	40	00
August 5....	262	Hatcher & Philips.....	Twelve cords Wood.....	27	00
August 26 ..	323	L. Julienne.....	Register of Commissions.....	50	00
August 26...	326	Hatcher & Philips.....	Fifteen cords Wood.....	33	75
November 11	390	L. Julienne.....	Receipt Book for Treasury.....	31	50
November 26	446	J. S. Sizer & Co.....	Stationery.....	13	35
December 3..	469	A. Virden & Co.....	Candles, &c.....	6	85
December 7..	485	J. G. and J. B. Morey.....	Stationery.....	19	75
December 8..	490	George Waller.....	Wood.....	28	00
December 10	495	Hatcher & Philips.....	Wood.....	29	81

39

Total expenditures on account of Auditor's contingent fund, from 12th Dec., 1851, to 12th Dec., 1853 ... 1,911 63

I am, with high respect,

Your obedient servant,

DANIEL R. RUSSELL.

7

To His Excellency, H. S. Foote,

Governor of the State of Mississippi:

SIR: The period for which I was elected Treasurer of this State, having expired on the 24th inst., I have the honor of reporting to you and through you, to the ensuing Legislature of the State, the condition of the department over which I have presided for the past two years. The document marked A, accompanying this report, presents the receipts and disbursements at this office, commencing the 25th November, 1851, and terminating on the 31st December, 1852, leaving a balance then in the Treasury, of sixty-four thousand four hundred and ninety-four dollars and twenty cents.

Document marked B, also accompanying this report, exhibits the receipts and disbursements at the Treasury, from the 1st January, 1853, to 24th November, 1853, both days inclusive, showing a balance on that day remaining in the Treasury of one hundred and eighty-one thousand eight hundred and thirteen dollars and forty-five cents. This balance embraces the various trust funds, which will more distinctly appear by reference to the Ledger now remaining in the office.

This balance of one hundred and eighty-one thousand eight hundred and thirteen dollars and forty-five cents, I have paid over to Shields L. Hussey, the present incumbent in office, which will appear by reference to his receipt to me.

The receipt and pay-warrants received and disbursed by me, during my official term, are now on file in the office, which are subject to the inspection and comparison of such committee as the Legislature may appoint for that purpose.

I have the honor to be,

Your Excellency's most obedient servant,

Nov. 26, 1853.

W. CLARK.

[A.]

TREASURER'S OFFICE, JACKSON, MISS., 24th NOVEMBER, 1853.

*Receipts into the Treasury from 25th November, 1851,
to the 31st December, 1852, both days inclusive.*

*Disbursements at the Treasury from the 25th November,
1851, to the 31st December, 1852, both days inclusive.*

MONTHS.	RECEIPTS.	MONTHS.	DISBURSEMENTS.
From Rich. Griffith, former Treasurer,	\$ 525,940 88		
Nov'r, Dec'r and January, ...	21,510 43	November, December and January, . . .	\$ 56,575 54
February, ...	3,721 04	February, ...	35,617 72
March, ...	6,328 49	March, ...	97,058 07
April, ...	41,734 35	April, ...	24,449 65
May, ...	145,929 73	May, ...	176,428 08
June, ...	3,007 82	June, ...	115,932 99
July, ...	2,220 09	July, ...	56,211 92
August, ...	1,162 59	August, ...	68,132 46
September, ...	1,295 50	September, ...	8,499 66
October, ...	7,139 25	October, ...	55,631 68
November, ...	124,395 10	November, ...	28,857 44
December, ...	18,380 94	December, ...	114,876 80
	\$ 902,766 21		\$838,272 01
		Cash on hand this day, 31st Dec., 1852.	64,494 20
			\$902,766 21

[B]

TREASURER'S OFFICE, JACKSON, MISSISSIPPI, 24th NOVEMBER, 1853.

<i>Receipts into the Treasury from 1st Jan., 1852, to Nov. 24, 1853, both days inclusive.</i>		<i>Disbursements at the Treasury, from the 1st January, 1853.</i>	
MONTHS.	RECEIPTS.	MONTHS.	DISBURSMENTS
Balance due the State of Mississippi, Dec. 31, 1852, brought forward, - - - - -	\$ 64,494 20	January, 1853, - - - - -	\$ 71,332 18
January, 1853. - - - - -	16,872 36	February, - - - - -	10,371 50
February, - - - - -	16,300 47	March, - - - - -	8,543 12
March, - - - - -	19,809 97	April, - - - - -	18,600 00
April, - - - - -	77,413 99	May, - - - - -	58,826 02
May, - - - - -	130,018 11	June, - - - - -	8,407 45
June, - - - - -	12,233 55	July, - - - - -	6,781 20
July, - - - - -	6,746 23	August, - - - - -	14,026 49
August, - - - - -	14,660 84	September, - - - - -	3,392 46
September, - - - - -	6,910 13	October, - - - - -	2,425 61
October, - - - - -	5,241 59	November, - - - - -	17,808 36
November, - - - - -	31,626 40		\$ 220,514 39
		Balance due State of Mississippi, and this day paid over to S. L. Hussey, the present Treasurer, as per receipt, Nov. 25, 1853,	181,813 45
	\$ 402,327 84		\$ 402,327 84

STATE TREASURY.

STATE TREASURY, }
JACKSON, MISSISSIPPI, January 1st, 1854. }

*To the Honorable, the Senate and House of Representatives,
of the State of Mississippi:*

GENTLEMEN: I have the honor to transmit to your honorable body, through his Excellency, H. S. Foote, a report of the transactions of this office since I have been its incumbent.

I took possession of the office on the 25th of November last. I then received from Gen. Wm. Clark, former State Treasurer, the sum of One Hundred and Eighty One Thousand Eight Hundred and Thirteen Dollars and Forty-five Cents, (\$181,813 45,) in the aggregate—there being no specification of the different funds, or what belonged to each.

From the 25th to the 30th of November, inclusive, the receipts into the Treasury, from all sources, (see Journal of Receipts,) amounted to the sum of \$1,996 30, as follows, to wit: (See the Ledger.)

From Tax Sales.....	\$ 327 87
From Internal Improvement Fund.....	1,186 57
From Chickasaw School Fund.....	481 86

\$1,996 30

The expenditures for the same period amounted to the sum of \$766 87, (see the Journal of Pay Warrants,) as follows, to-wit: (See the Ledger.)

On the Department of Public Health.....	\$ 569 00
Auditor's Contingent Fund.....	13 35
Judiciary.....	184 52

\$766 87

The receipts during the month of December were, (See Journal of Receipts,) \$29,511 97, that is to say, (see Ledger,)

From Tax Sales.....	\$ 2,300 51
Chickasaw School Fund.....	9,901 19

Internal Improvement Fund.....	13,572 64
R. S. Graves' Defalcation.....	2,500 00
Sinking Fund.....	275 05
Seminary Fund.....	354 50
Redemption of Land.....	608 08
	\$29,511 97

The expenditures for the same period amounted to \$8,030 83, (see Journal of Receipts,) on the following departments, to-wit: (see the Ledger.)

Judiciary.....	\$ 1,850 73
Auditor's Contingent Fund.....	33 20
State Census.....	727 47
Capitol Expenditures.....	31 50
Attorney General's Contingent Fund.....	100 00
Three Per Cent Fund.....	332 88
Penitentiary.....	280 00
State Library.....	73 50
Executive.....	520 00
Commissions for Assessing.....	1,581 25
Public Health.....	1,204 40
Recording Tax Titles.....	6 50
Levee Fund.....	540 00
Sinking Fund.....	750 00
	\$8,030 13

Thus, the aggregate receipts have been :

From Gen. Clark.....	\$ 181,813 45
From 25th to 30th of November.....	1,996 30
During December.....	29,511 97
	\$213,321 72

And the aggregate expenditures have been :

From the 25th to the 30th November.....	\$766 87
During December.....	8,030 83
	\$8,797 70
	\$213,321 72
	8,797 70

Leaving now in the Treasury the sum of.....\$204,524 02

I had been informed by the late Treasurer, that there was very little money in the Treasury except what was due to what are called the "Trust Funds," and an examination of the books soon able me to verify the fact. In consequence, I have been enabled to cash but few Auditor's Warrants since I have been in office. At intervals, as money came in, from Tax Sales, &c., I

have been enabled to redeem warrants to a small extent. But for the most part, I have been forced to stop payment, for want of funds; (that is, without intruding on the "Trust Funds," which I considered I was not authorized to do.)

Your honorable body will therefore perceive that unless this Legislature shall make some provision to meet the emergency, this office will be without means to pay the expenses of your present session, as well as past, and future accruing, indebtedness, till the taxes are paid in by the Collectors. And when this resource can begin to be realized, is uncertain.

Of course the Legislature would not desire to see the warrants of the State hawked about the streets of Jackson, and selling at *any* discount. To avoid this state of things, I suggest that the Legislature authorize the Treasurer, by resolution, to use the Chickasaw School, Internal Improvement, and Three Per Cent. Funds, (and also the Sinking Fund, if necessary,) in the redemption of Auditor's Warrants. The Treasurer might also be instructed to reimburse those funds immediately, as the Taxes are paid in; or the amount thus used might remain as a debit against the State, in behalf of those funds, as the Legislature might deem most expedient.

The statute requires the Treasurer, in a conjuncture like the present, ["When the revenue is likely to prove insufficient for the expenditures of the State,"] "to subjoin to his report such recommendations to the Legislature of new objects of taxation, or of additional taxes on the former subjects of taxation, as may, in his opinion, be best suited to supply the deficiency."

In the performance of this duty, I would suggest that slaves, first, and merchandize next, can best bear the burdens of additional taxation. I respectfully recommend, therefore, (inasmuch as I am required to make some recommendation,) that the deficit in the revenue be made up from those sources. In regard to slaves, I recommend a total change in the *modè* of taxing them. Under the present law, every slave pays the same tax, without reference to age, sex or intrinsic value—whether it be greater or less. A slave just born, or one that is old and decrepid, or a common field hand, worth at most fifteen hundred dollars, pays just as high a tax as one that is of full age, or one that is young and able-bodied, or one that is a good mechanic and is worth from two to four thousand dollars. I can see no justice or fairness in such a system. It has all the objections that are brought against a *specific tariff*, instead of an *ad valorem* one. I recommend, therefore, that the tax on slaves be *ad valorem*—according to the value—and not *per capita*—as at present. As to the proper *rate* of taxation, I suggest for your consideration, one-twentieth of 1 per cent. The tax on slaves was regulated, in 1844, at sixty cents on each one under sixty years of age—the act of 1850 having reduced the rate one-half. This was, perhaps, equivalent to an *ad valorem* tax of one-twentieth

of 1 per cent.—taking \$600 as the average price of slaves at that time. But since that time, this class of property (as well as every other,) has risen greatly in price—and it is probable that the rate above indicated would very nearly bring up the revenue to the proper standard. Slaves have risen since 1844, say one-third—making the present average price \$800. Perhaps these figures are too high, but taking them as our data, and supposing the number of slaves to have increased from 288,707 in 1851, (see assessment roll of that year,) to 300,000 now—I have not been able to ascertain the exact number—this would make the value of slave property, counting those over sixty and giving them a value equal to one-twenty-fourth of the whole—\$250,000,000. One-twentieth of this would yield a revenue of \$125,000. The amount thus realized would be nearly fifty thousand dollars more than that of last year from the same source—which would, of itself, nearly, if not quite, supply the deficiency. And this additional revenue would be raised from the most valuable property in the community, and, of course, from that property best able to afford it. The burden would fall where it ought to fall—on the wealthier classes, who are best able to bear the weight of taxation—finally, the rule of right and justice would be adhered to, of causing property to pay according to its value.

I have thought that it might be agreeable to the Legislature to know the exact state of the Treasury in regard to the Trust Funds, what is due to each, and whether there is on hand an amount of cash sufficient to satisfy them—in a word, to know the available means in the Treasury. I have, therefore, examined the Ledger, and find that on the first day of this month, the following Funds were entitled to credit balances as follows, to-wit:

To the Sinking Fund.....	\$ 104,629 17
To the Chickasaw School Fund.....	65,178 76
To the Internal Improvement Fund.....	24,256 70
To the Three Per Cent. Fund.....	10,280 08

Making due the various Funds named the sum of....\$204,344 71

To meet this indebtedness, there was, on the first day of this month, (as shown above,) cash in the Treasury to the amount of \$ 204,524 02,. The amount due the Trust Funds being deducted,

	\$204,524 02
	204,344 71

leaves in the Treasury only the small sum of..... \$179 31
on the first day of this month.

(I say nothing of the Seminary Fund, on which some \$1500 has been paid in, within the last few days, the avails of which go, I believe, to the University, and which I have laid aside for that purpose.)

If there is any information desired in reference to this office,

other than is here set down, and the Legislature will advise me of it, it shall, if within my reach, be promptly and cheerfully given.

I am, with the highest respect,

SHIELDS L. HUSSEY, *State Treasurer.*

STATE TREASURY.

Account stated between Shields L. Hussey, State Treasurer, and the State of Mississippi:

1853.		DR.
November	25, To this aggregate amount received from William Clark, former State Treasurer, as per my receipt to him of this date, viz: (See Journal, 137.).....	\$181,813 45
"	26, By cash on Tax sales,.....	118 11
"	28, " " ".....	108 28
"	29, " " ".....	101 48
"	" Internal Improvement fund,.....	1,186 57
"	30, Chickasaw School fund,.....	481 86
		\$183,809 75
		766 87
		183,042 88
December	1, By Tax Sales department,.....	238 88
"	2, " " ".....	36 48
"	3, " " ".....	74 64
"	3, Chickasaw School fund,.....	478 44
"	3, Internal Improvement fund,.....	910 88
"	5, " " ".....	73 48
"	5, Tax sales,.....	307 75
"	5, Internal Improvement fund,.....	1,352 41
"	6, Chickasaw School fund,.....	480 00
"	6, Internal Improvement fund,.....	140 86
"	6, Tax sales,.....	18 12

"	7	"	.....	45 28
"	8	"	.....	82 41
"	9	"	.....	401 73
"	10	"	.....	20 26
"	9	R. S. Graves' defalcation,	.....	2,500 00
"	7	Internal Improvement fund,	.....	142 03
"	9	" "		

STATE TREASURY.—(Continued.)

December	22	"	"	70	36
"	23	"	"		66
"	23	Internal Improvement fund,		408	59
"	24	To cash from Tax sales.		99	21
"	21	Chickasaw School fund,		635	04
"	26	Internal Improvement fund,		139	24
"	26	Tax Sales,		105	03
"	27	Internal Improvement fund,		730	20
"	27	Chickasaw School fund,		2,150	40
"	28	Internal Improvement fund,		1,445	16
"	28	Tax Sales,		42	95
"	28	Sinking fund,		275	05
"	28	Seminary fund,		354	50
"	29	Internal Improvement fund,		257	25
"	29	Tax Sales,		142	26
"	30	"		32	99
"	30	Internal Improvement fund,		330	25
"	31	Tax Sales,		563	97
"	31	Redemption of Lands,		608	08
"	31	Chickasaw School Fund,		723	30
				\$212,554	85
				8,030	83
Balance of cash on hand January 1st, 1854,				204,524	02

STATE TREASURY.

Account stated between Shields L. Hussey, State Treasurer, and the State of Mississippi.

1853.		CR.	
November	25	By Public Health Department,.....	\$ 569 00
"	28	Auditor's Contingent Fund,.....	13 35
"	26	Judiciary Department,.....	86 39
"	28	" "	54 92
"	29	" "	43 21
			\$ 766 87
December	3	By Judiciary Department,.....	199 47
"	5	Auditor's Contingent Fund,.....	6 85
"	5	Judiciary, ...	46 96
"	9	State Census, ...	395 13
"	7	Capitol Expense, ...	30 00
"	12	Attorney General's Contingent Fund,.....	100 00
"	7	Auditor's Contingent Fund,.....	19 75
"	8	Judiciary, ...	2 56
"	8	Three Per Cent. Fund,.....	332 88
"	9	Judiciary, ...	114 92
"	9	Penitentiary,.....	280 00
"	10	Executive, ...	145 00
"	21	To tax sales,.....	17 53

STATE TREASURY.—(Continued.)

December	12	State Census, ...	106 41
"	12	Capitol Repairs, ...	1 00
"	12	Judiciary, ...	2 50
"	12	Executive	375 00
"	13	Judiciary, ...	370 95
"	13	Commissions for Assessing, ...	477 42
"	13	Judiciary, ...	437 50
"	14	Public Health, ...	40 00
"	14	Commissions for Assessing, ...	145 84
"	14	State Census, ...	12 54
"	14	Judiciary, ...	8 96
"	14	Commissions for Assessing, ...	100 00
"	17	Judiciary, ...	12 32
"	20	"	148 60
"	20	Commissions for Assessing, ...	201 36
"	20	Judiciary, ...	75 32
"	21	Capitol Repairs, ...	50
"	21	Public Health, ...	5 40
"	21	Recording Tax Titles, ...	6 50
"	23	Levee Fund, ...	540 00
"	26	Public Health, ...	813 00
"	26	Judiciary, ...	380 07
"	29	Public Health, ...	310 00
"	28	Sinking Fund, ...	750 00
"	29	Public Health, ...	36 00

December	29	Judiciary	50 00
"	30	Auditor's Contingent Fund, ...	6 60
"	30	State Library	73 50
"	31	Census, ...	213 39
"	31	Commissions for Assessing, ...	275 00
"	31	" "	381 63
			\$ 8,030 83

ADJUTANT GENERAL'S OFFICE,
Jackson, Dec. 20, 1853.

*His Excellency, Governor Henry S. Foote,
Commander in Chief of the State of Mississippi.*

SIR : The undersigned, acting as Adjutant and Quarter-Master General, under appointment from your Excellency, bearing date January 22d, 1852, begs leave to submit herewith a tabular statement, showing the number of arms received by him from his predecessor in office, General Charles B. Green, the number since received from the General Government, the number issued to different volunteer companies, &c., in the State, and the number and description remaining in the State arsenal at this time.

Owing to the inefficiency of the present Militia laws, very little attention is paid in most of the counties to the election of regimental officers, and the organization of regiments.

Believe me, respectfully,

Your obedient Servant,

L. JULIENNE,
Adjutant General.

*Statement showing the different kinds of Arms received and delivered by the Quarter Master General,
from the 22d day of January, 1852, to 20th December, 1853.*

ARMS RECEIVED.

Cannon - - - - -	{	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	Brass 12-pounders, mounted.
		1	.....	.....	.....	.....	.....	.....	.....	.....	.....	Iron 12-pounders, mounted.
		1	.....	.....	.....	.....	.....	.....	.....	.....	.....	Iron 12-pounders, not mounted.
New Flint Muskets -		..	189	.....	.....	.....	.....	.....	.....	.....	.....	Received from Gen C. B. Green.
Old Flint Muskets -		..	.....	236	.....	.....	.....	.....	.....	.....	.....	Do do.
Worthless Muskets -		..	.....	.....	.....	.....	.....	.....	.....	21	.....	Do do.
New Percus. Rifles -		..	.....	.....	.....	.....	.....	249	.....	.....	.....	Do do.
Hall's Rifles - - -		..	.....	.....	.....	.....	.....	.....	102	.....	.....	Do do.
New Percus. Pistols -		..	.....	.....	.....	148	.....	.....	.....	.....	.....	Do do.
Cavalry Swords - -		..	.....	.....	.....	.....	88	.....	.....	.....	.....	Do do. 13 bronzed.
Sabres - - - - -		..	.....	.....	.....	.....	10	.....	.....	.....	.....	Do do.
New Percus. Rifles -		..	.....	.....	.....	.....	.....	60	.....	.....	.....	Received from Ordnance Office.
New Percus. Musk. {		..	.....	.....	64	.....	.....	.....	.....	.....	.....	Do do.
		..	.....	.....	60	.....	.....	.....	.....	.....	.....	Do do.
		..	.....	.....	90	.....	.....	.....	.....	.....	.....	Do do. Mar. 28, 1852
New Percus. Rifles -		..	.....	.....	.....	.....	.....	250	.....	.....	.....	Do do. do.
New Percus. Pistols -		..	.....	.....	.....	100	.....	.....	.....	.....	.....	Do do. do.

Cavalry Swords - -	..	....	....	....	....	....	50	....	....	....	..
Sabres - - - - -	..	....	....	....	....	25	....	....	....	....	..
Cadet Muskets - -	..	....	....	....	....	....	....	....	....	150	..
	3	189	236	314	248	35	138	559	102	150	21

Do
Do
Do

do.
do.
do.

do.
do.

QUARTER MASTER GENERAL'S STATEMENT CONTINUED.

ARMS DELIVERED.

1852.									
May 10..	Delivered to Superintendent of Penitentiary	{	15	....	....	....	....	....	New Flint Muskets.
	Shipped to Columbus Riflemen.....		....	....	60	....	....	....	New Percussion Pistols.
	Shipped to Natchez Guards.....		....	64	....	....	....	....	New Percussion Rifles.
	Shipped to Adam's Light Gurrds.....		....	60	....	....	....	....	{ New Percussion Muskets.
	Shipped to Natchez Fencibles.....	....	....	75	....	....	....	New Percussion Rifles.	
Dec. 24..	Shipped to Lamar Cavalry.....		....	....	* 120	† 60	....	{ *New Percussion Pistols.	
Dec. 4...	Shipped to Adams troop.....		....	....	* 100	† 50	....		{ †Cavalry Swords.
	Delivered to Maj. W. H. Brown (of Staff).....		....	....	* 2	† 1	....		
	Delivered Adjutant General.....		....	....	* 2	† 1	....		
<i>Delivered to Members 1st Mississippi Reg't.</i>									
April 5..	To J. S. Poindexter.....		....	....	1	....	....	{ New Percussion Rifles.	
May 25..	To H. T. Pomroy.....		....	....	1	....	....		
July 1...	To M. A. Foute.....		....	....	1	....	....		
July 14..	To Calvin Hobbs.....		....	....	1	....	....		
Aug. 25..	To James Vaugh.....		....	....	1	....	....		
Dec. 22..	To J. R. Williams .....		....	....	1	....	....		
Dec. 2...	M. M. Smith.....		....	....	1	....	....	{ Cadet Muskets.	
	To Ashbel Green, Pres. Jefferson College..		....	....	....	....	150		{ New Flint Muskets.
	To Allan Patrick, for arming city night- watch during the epidemic	{	3	....	....	....	....		
			18	120	142	230	112	150	

Arms remaining on hand, with complete Accoutrements.

3 Field Pieces.
171 New Flint Muskets.
236 Old Flint Muskets.
194 New Percussion Muskets.
18 New Percussion Pistols.
35 Sabres.
26 Cavalry Swords.
417 New Percussion Rifles.
102 Hall's Rifles.
One Lot worthless Muskets.

All of which is respectfully submitted,

L. JULIENNE,

Adjutant Gen. acting Quarter Master General.

Jackson, Dec. 20, 1853.

MISSISSIPPI PENITENTIARY.

MISSISSIPPI PENITENTIARY,

Jackson; December 12, 1853.

To David Shelton, Allen Patrick, and Joseph H. Ledbetter,
Esqrs., Inspectors of the Penitentiary:

GENTLEMEN: In discharging a duty imposed upon me by the fortieth section of the Laws relating to this Institution, I am gratified in being able to state, that it has never before been in such a prosperous condition. Notwithstanding the alarming state of things growing out of the existence of the pestilence among the convicts during the last fall, it affords me pleasure to say that the general health of the Penitentiary was never better than at the present.

In my last annual report, it was stated that the Stock and other property of the State, on hand, on the 30th day of November, 1852, amounted to..... \$58,273 97

There was also on that day a balance
of cash in my hands, of 10,377 11

Requisitions have been issued upon the Treasury of the State, as required by Law, for the payment of the salaries of all the officers and guards of the Institution, (including salaries due on the 1st instant,) for twelve months, amounting to, (but \$6,475 90 of these requisitions have been liquidated by me)..... \$9,409 21
making \$78,060 29

Conformably to law my accounts were closed on the 30th day of November, 1853, and a balance of cash remained in my hands, as shown by the monthly settlements, of..... 27,824 01

An Inventory of the Stock and all other property of the State on hand, was taken as required, which amounted to 60,741 42

My account against the State for board of prisoners awaiting a trial before

the Supreme Court ; for meal, corn, clothing, hauling wood, &c., amount- ed, per acct. submitted, to	3,971 23	
making		92,536 66
Showing a profit since the 30th No- vember, 1852, of		14,476 37

Deducting the last-mentioned, which is only included for the purpose of showing the disposition made of provisions and materials, which would, if not consumed, have been sold for cash, or the labor more profitably employed, and charging me and holding me accountable for the requisitions issued on the Treasury for the annual salaries provided by law, it will be perceived that the nett sum of ten thousand five hundred and five dollars and fourteen cents, has accrued to the State, from the operations of the Institution, during the past year :

The entire cash receipts from all sources during the year, amounted to	\$50,003 78
And the disbursements during the same time were	32,556 88
Showing an excess of receipts over disburse- ments, of	17,446 90
For a comprehensive view of the monthly receipts and disburse- ments, I respectfully refer to the document marked A, which accom- panies this report. By this, it will be perceived, that the money in my hands, amounts to	\$27,824 01

The Document marked B, will show the Stock, and all other property of the State, on hand, and that marked C, the number of convicts in the Institution, and the different branches of business in which they are employed. The report required by the forty-fourth section of the Laws in force regulating my duties, has been deposited in the office of the Secretary of State.

It will be perceived that much the larger number of convicts have been employed in and about the cotton factory, and a still larger number will be required since the purchase of the new machinery.

The Document marked D, will show the items embraced in the account referred to in the foregoing, for clothing, repairs, &c.

During the past year, it became apparent that the wood land purchased on Pearl river, would not, during the winter and spring, be accessible on account of high water, and a very favorable purchase of forty acres of land west of the city, was made from the Hon. Powhatan Ellis, for the sum of six hundred dollars. I have secured near a thousand cords of wood from this tract already, and expect near three hundred more. After the whole is cut, the land will be disposed of at public auction, for cash. Since the purchase of this land, real estate has advanced, and I hope to be able to realize the purchase-money from the sale. This, as well as the other,

has been fully paid for out of the funds of the Institution, in my hands.

Under the act of October 21, 1852, and your own direction, as soon as it became apparent that the funds could be spared, I visited the State of New Jersey, and purchased and paid for the looms and other machinery required by that act; and I am happy to inform you that the whole is now in successful operation. Much credit is due to the very worthy operator, Mr. Samuel Pool, for putting this machinery in operation. Considerable delay occurred in getting it made, owing to the large number of orders for machinery which were on hand at Paterson. The entire cost of the looms, &c., including transportation, insurance, &c., exceeded the appropriation about one hundred dollars; but other articles indispensable for repairing the old machinery, were also purchased, and are included in the bills. I am now prepared to manufacture yard-wide cotton and woollen goods, and confidently expect, during the ensuing year, to make a clear profit of twenty thousand dollars for the State, by the operations of the Institution—there being one-third more of looms now in motion, and by the same power, than ever before since the Penitentiary was established.

Very soon after my election to this office, and as soon as my attention—apart from other important duties connected with the discipline and government of this important branch of the public service, was given to the purchase of supplies and the sale of the manufactures—it was easily discovered from my knowledge of the financial condition of the State, that the Institution had to rely upon its own resources. The Treasury of the State was nearly empty, and, desirous of relieving it from continued appropriations for its support, under your direction, I visited Memphis, Louisville and other cities, and opened a correspondence with Yazoo City, Natchez, New Orleans, and other places, with a view of making such arrangements under the provisions of the act of 1852, as would lead to the permanent establishment of agencies provided by that law, thereby securing an opportunity of presenting the manufactures to the trade. Our goods now stand in successful competition with those made at any of the factories in the Western or Southern States. At New Orleans, I have found sale for nearly all the cotton-yarns manufactured, designed for the trade of the Interior of Louisiana, and have had many new dealers from the interior of our own State—all of whom speak in just terms of commendation of our goods.

There still exists considerable complaints by the consumers of our goods, in relation to the schedule of prices established at the Institution. I have found it indispensable, however, to effect sales, that a difference should be made between wholesale and retail; for, without it, no inducement exists for the merchant to purchase largely, as he will have to be out of the use of his capital, and

must have some profit. In adhering strictly to these rules, it has enabled me to sell almost as fast as articles could be manufactured, and dispensing with the sales at public auction, required by the act of 1850, which has always resulted in heavy losses to the State. In all my transactions with the people, I have not only had in view the interests of the State, but a sincere desire to do justice to both of the contracting parties.

The law does not authorize me to purchase and sell anything brought here for sale by the planter, but as a convenient mode of payment for our goods, I have frequently received in exchange, wool; and it affords a convenient mode of remittance to the western cities, in payment for provisions and general supplies, that the law requires me to purchase for the Institution—all of which has been done with a strict compliance of duty, of inferior but of wholesome kind.

I have given to the laws in force relating to the Penitentiary a great deal of reflection, and I hope I will not be considered indelicate in making a few suggestions for your consideration and through you to the Governor, in order that it may receive some attention at the hands of the Legislature. For twenty-three years past, I have been engaged in the settlement and adjustment of private and public accounts, a large portion of the time in the public service at Washington and in our State. I feel confident if my suggestions be adopted, it would prove beneficial to the public service.

I would recommend that it may be made the duty of the Clerk of the Penitentiary to be constantly at the Institution, and that an act be passed prohibiting the sale by the Superintendent, or other employees about the Penitentiary, of any article whatever, but that the same shall be delivered by the Superintendent to the Clerk or Store-keeper, who shall give his receipt therefor, which receipt shall be filed by the Superintendent with the Secretary of the Board of Inspectors, and charged in the presence of the Superintendent to said Clerk or Store-keeper at an established rate, and that said articles so manufactured and delivered, shall be sold at said price and no more. The said Secretary shall, at all times, exhibit to the Superintendent the books and vouchers when required. I would recommend that the Clerk or Store-keeper be required to settle with the Board of Inspectors monthly, or oftener, when required, and that the Superintendent at such settlements be allowed a seat at said Board. This system has been adopted in some of the old States of the Union and found to be a complete check upon the accounting officer, whereas, under the present system, there is none whatever. It ought to be made the duty of the Superintendent, to purchase all needful supplies, and after his accounts for all such purchases are examined by the Board, a requisition might be issued upon the Clerk for the payment of the same—said requisition to be a sufficient voucher for the Clerk on his settlement with the Board.

I have had considerable difficulty in the safe-keeping of prisoners

whilst engaged at work outside of the walls of the Penitentiary. When I entered upon the discharge of my duties, I found that it had been customary to send them to work under guards in the neighborhood. Several have made their escape, and although much vigilance has been used in endeavoring to arrest them, I regret to say that four have effected their escape. One of them named W. W. Beck, from the county of Marshall, had with him, when committed, eight hundred and seventy-five dollars in money, which was immediately placed at interest, agreeably to the sixtieth section of the laws relating to the Institution. I hope that I may be relieved from any responsibility on this head, by some provision being made by the Legislature, for the disposition of the money.

The law requires that each convict shall be occupied at such employment most beneficial to the interests of the State and the best suited to their various capacities. I have endeavored faithfully to do this, and have directed such employment as would not conflict with the mechanical industry of the country.

I found great difficulty for several weeks during the month of October, in securing a sufficiency of water for the engine. Finding that it was attended with great expense, and that it might hazard the lives of the unfortunate inmates of the Institution in sending them out, operations were suspended for a few days. No loss occurred however, as the temporary suspension enabled me to make many repairs about the Institution indispensable to its preservation. The conductors leading from the main prison and front buildings were taken up and found to be much decayed. The pond from which nearly all the water comes, was thoroughly cleansed and the old smiths shop partly taken down, leaving ample room for present purposes.

I respectfully call attention to the rapidly decaying condition of the front building, and to the enclosure around the public grounds, and whilst there are ample means belonging to the Institution the present seems to be the most favorable opportunity of improving them. The building designed for a Hospital, has not yet been erected. Arrangements are, however, in progress for its erection and I am in hopes that it will be built during the early part of the Spring.

The accompanying document marked A. already referred to, will show that at all times during the last twelve months, large balances of public funds have remained in my hands. The deposits at the banking houses in this city, have always shown that I have had more cash on hand than would liquidate my indebtedness to the State. The money was not paid into the Treasury, for the reason, that when paid in, it could not be drawn out, and the officers and guards of the Institution could not have drawn their salaries; nor could materials and supplies for the Institution have been purchased. It would be difficult to retain the services of officers and purchase cotton, &c. for Auditor's warrants, already at a discount in our streets.

The report of the Physician and Surgeon of the Institution will accompany this.

For the valuable services rendered by this officer during his connexion with the Institution, and especially during the existence of the yellow fever in September and October last, he justly deserves the thanks of the State. His prompt action in recommending the removal of those who were attacked with the disease to another portion of the building, checked its progress and the lives of many of these unfortunate men thus spared.

For the moral and religious condition of the prisoners, I beg leave, respectfully, to refer to the accompanying report of our worthy Chaplain, the Rev. A. Pomroy.

I cannot close this report, without bearing willing testimony to the fidelity with which every officer connected with the Institution have discharged their responsible duties.

During the gloomy months of October, and the early part of November, I felt sensibly, the valuable services of the Sergeant of the guard, Mr. Henry C. Covington, who spent many nights in watching by the side of the sick.

The services of Mr. Henry B. Evans, the accomplished engineer and skillful machinist are valuable, and I think the Institution would suffer a great deal if we were to lose his services. His salary is entirely too small, and I think the salaries of the guard also too small. I hope that it may be recommended to the Legislature to increase their compensation to at least forty dollars per month.

I beg leave, in conclusion, to offer my thanks for the uninterrupted friendly feelings manifested towards me, and for the assistance always afforded me by your Board.

I am, gentlemen, very respectfully,

Your obedient servant,

FLEMING L. SWANN,

Superintendent.

REPORT OF PENITENTIARY INSPECTORS.

To His Excellency, the Governor

of the State of Mississippi:

SIR: With this, their annual report, the Inspectors of the Penitentiary, present the Reports of the Superintendent, Physician, and Chaplain of the Penitentiary:

The first showing the financial and operative condition of this institution; the second its sanitary condition; and the third, the moral and religious instruction afforded.

As to the financial condition, it may be exhibited by a very brief comparison of its present condition, assets and resources, with those of the 30th of November, 1852.

At that time the stock of manufactured goods, materials, machinery, and other property was worth \$58,273,97; they are now worth \$60,741,42, making the increase of stock since the 30th of November, 1852, the sum of \$2,467,45. This difference consists almost entirely of a number of looms and other machinery bought under the act of 1852, page 41, paid for out of the penitentiary funds, and, therefore, properly to be included as part of the products of the Penitentiary.

At that time the cash on hand was \$10,377,11. It is now \$27,824,01, making the increase of cash on hand since the 30th of November, 1852, \$17,446,90.

Against this last item is to be placed the sum of \$9,409,21, the salaries of the various officers of the Penitentiary, which, by law, were authorized to be paid from the State treasury, but of which \$6,477,99 have, under our directions been duly audited, Auditor's warrants issued, and the money paid on the warrants by the Superintendent, he lifting the Auditor's warrants and so much cash.

A summary of the profits of the institution during the year ending on the 30th of November, 1853, will therefore stand thus:

Increase of stock, &c.,.....	\$2,467 45
Increase of cash on hand,.....	\$17,446 90
Deduct salaries of officers,.....	9,409 21—8,037 69

Profits from 30th Nov., 1852, to 30 Nov.,

1853,..... \$10,505 14

Thus it will be seen that since the 30th of November, 1852, up to the 30th of November, 1853, the Penitentiary has fully paid its own way, including the salaries of all its officers, and produced a profit of \$10,505,14.

By the report of the 30th of November, 1852, the profits for that part of the preceding year in which the Penitentiary was organized with its present officers, was shown to be \$1,973,30.

These things demonstrate one important fact, to-wit: *That the institution can be made to pay its own way and produce a revenue to the State.* That demonstration is the object of the foregoing comparison.

It will be observed that in estimating the profits 3d two years, we have included all charges against the State for keeping prisoners pending trials in the courts at Jackson, and many other items of expenditure which have been paid for by the Penitentiary, but is disconnected from its regular operations. They will be found in the Superintendent's report. The reason of the exclusion is that these will occur in future as well as in the past, and therefore for the purposes of the demonstration need not be taken into the comparison.

The report of the Superintendent fully exhibits the amount of receipts and disbursements during the past year, taken from his monthly settlements made with the Board of Inspectors.

In the operative department of the institution, there is no necessity for any important changes or innovations; there will only be required steady progress in the line of operations now established, with such incidental changes only as time and experience may demonstrate to be necessary. We are, however, convinced that the plan of sending convicts to gather wood for the Penitentiary is injudicious and ought to be abrogated by act of the Legislature. It is almost impossible to procure guards who will perform that duty. It is dangerous to both guard and convict, and sometimes involves the hazard of life to one or both of them. It tends to increase familiarity between the guards and convicts, and thus to produce insubordination. It is impossible constantly to guard against escapes, and thus the guilty go unpunished. It is but little, if any cheaper, than to hire slaves to cut and haul the wood. The prices paid for guards necessary for this duty approximates the price that would be paid for the amount of labor in that way now performed by the convicts—when the convicts time could be employed as profitably within the walls of the Penitentiary, and under the guards already there.

As to the financial and monied affairs of the institution, we think there is still room for improvement. The law of 1852, page 41, authorizing the establishment of agencies, was an important step towards that end, and it has been mainly under a system of agencies established in conformity to the purposes of that law, that we have succeeded in opening markets in which we can not only sell the present products of the Penitentiary, but in which we could sell much larger stocks.

These agencies and a just discrimination made between wholesale and retail sales, have enabled us to control the market in Jackson and other neighboring towns, and successfully to introduce our goods into Vicksburg, Memphis, New Orleans and St. Louis.

The principal reform now needed, is a more systematic arrangement of the mercantile concerns of the institution. The main ingredients wanted are, an effective merchant and a plan of guards and checks between him and the Superintendent, similar in its operation to that now existing between the Auditor and Treasurer of the State. It can be effected by a single change and without any material increase of expense. Abolish the office of Clerk, whose salary now is \$1,000, and appoint a "merchant" with a small increase of salary. Let the Superintendent place all products that are for sale in his hands and take his receipts to be placed before the Board of Directors at stated periods, and for settlement of the merchants accounts. The merchant to make all sales and transact all mercantile affairs connected with his department. The Superintendent to buy materials, provisions, &c.,

and to check on the merchant. The merchant to keep a regular set of mercantile books. Such a system would not only be safer than the present mode, because of the reciprocal checks upon these two officers, but in many other respects. Such an officer should not only be a good clerk, but a man of first rate business capacity as a merchant, and should be required to give a heavy bond. In drafting such a law this Board will render any assistance or information in their power.

It will be seen by the Physicians Report that the convicts now are, and during the last year have been, remarkably healthy. It is especially gratifying to report that during the prevalence of the late epidemic, they, under the dispensations of a merciful Providence, suffered less in proportion to numbers than the resident population of this or any other town in which Yellow Fever became epidemic, although it is true that a number of cases occurred in the prison, but two of the whole number (about 115) died of the fever. The sick had every necessary attention from physicians and nurses. The Physician of the institution was unremitting in his services; nor can we omit to notice with gratitude the very valuable and assiduous services of Drs. Meux and Galding, of New Orleans, who, on the invitation of Dr. Cabaniss, rendered very valuable assistance, for which they have asked no reward, and because we wanted the necessary authority have received no reward except the consciousness of having done deeds of mercy and humanity.

The Chaplain's Report exhibits fully the means for moral and religious improvement afforded to the convicts. It will be unnecessary to recapitulate them. The results cannot be exhibited by any very striking manifestations, they are the growth of time and labor, gradually but slowly improving the heart and mind of the convict. Opportunity for improvement as well as punishment is an essential element in a properly organized Penitentiary system. We should regret to see the means of moral and mental improvement now afforded discontinued. On the contrary, we recommend a more thorough system of moral training, and in this connexion we refer to the suggestions contained in the report of the Chaplain. This moral and religious training constitutes an obligation on the State which with credit she cannot avoid and which she ought to perform thoroughly and effectually.

In conclusion we beg leave to refer with pleasure to the universal harmony which has prevailed between the officers and guards of the institution, capacity and industry, and its present flattering condition and prospects. Scarcely yet has the establishment been fully organized under its present system, many things are yet imperfect—enough, however, has been done to show its practicability and utility under that organization, future years will doubtless more fully demonstrate its efficiency.

Very respectfully, yours, &c.,

NOVEMBER, 31st, 1853.

D. SHELTON,
ALLEN PATRICK,
J. H. LEDBETTER.

PHYSICIAN'S REPORT.

JACKSON, Dec. 12, 1853.

To the Board of Inspectors

of the Mississippi Penitentiary :

GENTLEMEN: Having, in March, 1852, been appointed Physician to the State Prison, I immediately entered upon the discharge of the duties assigned by law to that position, and fully sensible of the obligations and responsibilities which I thus assumed.

I am glad to have it in my power to report that for the last two years, the health of the convicts has been comparatively good. Taking into consideration the character and previous habits, generally, of the inmates of the prison, the number of deaths for this period has not been large.

Nearly all the deaths which have occurred since my connection with the institution, have been the result of chronic disease, superinduced by *intemperance*, and other vicious habits indulged in before commitment.

During the year 1852, there were but three deaths—one from dropsy, one from consumption and the other from a valvular or disease of the heart. Two of these persons were far advanced in life.

During the present year, five deaths have occurred—one from a gun-shot wound received in an attempt to escape, one from *diabetes*, one from inflammation of the brain, one from diarrhœ, and two from yellow fever.

In the early part of the summer, both of last year and this, there were a good many cases of dysentery all of which, yielded to medical treatment. The prison has not been exempt from the ordinary fevers of the climate, such as *intermittent*, continued and typhoid; and I regret to have to state that it did not entirely escape the pestilence which lately swept off so many of our citizens. As strange as it may appear, the yellow fever did not show itself within the walls of the Penitentiary until it had half spent its force upon our community. Had the disease made its appearance here as early as it did elsewhere in our city, the convicts would have suffered immensely, in-as-much as there is, as yet, no suitable hospital arrangements for the sick. I am greatly indebted to Dr. THOS. MEUK, of N. Orleans, for efficient aid whilst the epidemic prevailed.

I deem it proper to express the opinion that there is a great want

of improvement in this department ; and would urge the propriety of your body bringing this matter to the notice of the Legislature. The cells are entirely too small to allow a Physician to treat the cases in a manner to do justice, either to himself, or his patients.

In closing this communication, I take pleasure, in justice to the excellent Superintendent, Mr. Swann, to bear testimony to his uniformly humane treatment of those placed under him, and to his ability and fidelity in the discharge of his responsible duties.

Respectfully, your obedient servant,

A. B. CABANISS, M. D.,
Physician to the Penitentiary.

CHAPLAIN'S REPORT.

JACKSON, Dec. 12, 1853

To the Board of Inspectors

of the Mississippi Penitentiary:

The following is respectfully submitted as my second annual Report as Chaplain to the Penitentiary:

The duties connected therewith, have been discharged to the best of my ability, and according to the best mode which could be contrived to render them both useful and interesting to the prisoners. There has been preaching in the Penitentiary every Sabbath, those only excepted, when on account of the extreme ill health of my family, which happened during the late epidemic, I was compelled to be absent from the city, and my inability to procure a ministering brother to supply my place. Immediately, however, on my return, and since the 1st of November last, the duties of the Sabbath have been resumed and continued in keeping with the established order observed in this prison.

It cannot be but gratifying to you and all kind-hearted persons, to learn that a great deal of tender feeling is manifested upon the subject of religion by the unfortunate men therein incarcerated, and that they listen not only with respectful attention to the word preached, but are also very solicitous of having the principles of God's holy truth explained to them in their cells. It is nothing uncommon to see tears gush from their eyes, and hear the prayer escape their lips, "Lord be merciful to me."

In connection with this subject, I would respectfully remark that the present place where the prisoners assemble for worship on the Sabbath, proves to be very inconvenient, not only on account of

the severe cold in the Winter season, and the continual current of a chilly atmosphere passing through the length of the hall, and across it from cell to cell, but also because of the position which both the Chaplain and the prisoners have to occupy, they sitting before, behind and above him, and he compelled to change his position almost continually, so as to secure the attention of his hearers.

I would therefore suggest for your kind and earnest consideration that a chapel be erected within the enclosure of the prison, sufficiently commodious to accommodate one hundred and twenty-five prisoners, with the seats and pulpit so arranged, that both the Chaplain and his audience could face each other, the building being warmed by a stove of proper dimensions. This, gentlemen, I am confident would be always, in the Winter especially, a source of great gratification to all concerned, fraught with greater blessings than could now be foreseen. It would offer also the facility of forming a Bible class of some fifty prisoners, who are anxious to study the bible, but who, as now situated, must be deprived of that privilege. Philanthropic ladies and gentlemen in Jackson could then be induced, and would cheerfully consent to act as teachers in such a class (as is customary in the prisons of several other States); and a Sabbath-school might be instituted, in which, not only to teach the word of God, but also to instruct the prisoners (many of whom not being able to read or write) in the rudiments of an English education; thus preparing them, both by moral and intellectual training, when they again go into the world, to retrieve the past, to rise to respectability, and to discharge the stern duties of men, of citizens and of christians with honor and fidelity.

Gentlemen, permit me once more to invite your benevolent attention to this subject. We ought to remember that a prison is not only a place of punishment, but of correction and improvement. While, on the one hand, we punish the criminal for violated laws, and thus maintain their supremacy, so also, upon the other, should we endeavor to induce him to reflection and moral reformation, and thus secure the great end had in view. Mere punishment *without* correction, renders the criminal worse. A man whose vices or irregularities have brought his life or liberty into danger, should be viewed with an eye of compassion, and if we can reclaim him to virtue and to God, it is worth all the trouble and expense this may put us to. The sinner claims our pity, his sins, our detestation.

Gentlemen: We are entirely out of bibles in the Penitentiary, as we have been for some time. These are constantly called for and we have none to give. The library also needs replenishing and renewing. The books, at present in use, with the exception of a few, are mostly worn out, and have been read and re-read, until they have lost the interest, they are otherwise calculated to create. I would here again suggest that a certain sum be appropriated for the purpose of purchasing bibles and such moral and historical books, as may be thought useful and interesting to the pris-

oners, together with some slates, pencils, pens and ink, as their desire of improvement may render necessary.

In conclusion, I must embrace this opportunity of publicly expressing my gratitude to the indefatigable and excellent keeper of this prison, Col. F. L. Swann, for the very kind and obliging manner in which he has facilitated, to the extent of his power, any suggestion made by me for the moral good of the prisoners, and for the interest he has ever manifested in every thing relating to the observance of the religious duties of the prison.

I am, gentlemen, very respectfully,

Your obedient servant,

A. POMROY,

Chaplain to the Mississippi Penitentiary.

[DOCUMENT A.]

*FLEMING L. SWANN, Superintendent of State Penitentiary,
In Account with the State of Mississippi.*

1852.		DR.
Nov. 30,	To balance of cash on hand this day,....	\$10,377 11
Dec.	“ amount received this month,.....	2,244 82
1853.		
January	“ “ “ “	1,910 24
February	“ “ “ up to 17th February,	2,839 67
March }	“ “ “ “	2,755 58
April }	“ “ “ up to April 6th,.. }	
May 1	To amount received since April 6th,....	2,050 33
“ 30	“ “ “ in May,.....	2,963 26
June	“ “ “ in June,.....	1,353 96
July	“ “ “ in July,.....	2,220 04
August	“ “ “ in August,.....	1,542 29
Sept.	“ “ “ in September, and	
October	To amount received in October,.....	1,652 62
Nov. 30	“ “ “ in November,.....	28,470 97
	Total amount received,.....	\$60,380 89
Dec. 1	To balance due the State,.....	\$27,824 01
1852.		CR.
Dec. 1	By am't disbursed this month for vouchers,	\$2,768 11
1853.		
January	“ “ “ “	1,818 09
Feb. 17	“ “ “ “ up to date,.....	4,840 55
March }	“ “ “ “	494 60
Ap'l 6 }	“ “ “ “ since Feb. 17, }	
May 1	“ “ “ “ since Ap'l 6,....	3,916 51
“ 30	“ “ “ “ during this month	1,754 58
June	“ “ “ “ “ “	1,074 80
July	“ “ “ “ “ “	1,532 03
August	“ “ “ “ “ “	1,137 11
Sept. }	“ “ “ “	3,256 55
Oct. }	“ “ “ “ during these months, }	
Nov. 30,	“ “ “ “ during this month	9,963 95
	Balance on hand,.....	27,824 01
	E. E.	\$60,380 89

FLEMING L. SWANN,

JACKSON, Dec. 12, 1853.

Sup't State Penitentiary.

[DOCUMENT D.]

STATE OF MISSISSIPPI, IN ACCOUNT WITH THE STATE PENITENTIARY:

1853.			
Nov. 30	To cutting and hauling 800 cords of wood, at	\$1 25,	\$1,000 00
	“ 1,200 bushels meal and corn, at.....	75,	900 00
	“ white-washing 103 cells, and other places,.....		200 00
	“ 400 pr. shirts and pantaloons, at.....	68.4	275 00
	“ repairing and putting up machinery and for work done in and about the institution,		647 23
	“ boarding three persons awaiting trial before Supreme Court,.....		180 00
	“ services of six hands cooking, gardening, &c.....		300 00
	“ 1,250 yards Lowells for baling,.....		118 75
	“ 20 beds, 25 sheets, 18 pillows,.....		80 00
	“ 183 pr. shoes, at		228 75
	“ 22 Linsey coats, at.....	1 25	27 50
	“ 6 Flannel shirts,.....		6 00
	“ 40 Aprons andtowells,.....		8 00
			\$3,971 23

73

Submitted as part of the transactions of the Penitentiary, from the 30th Nov., 1852, to Nov. 30th, 1853.

F. L. SWANN,
Superintendent State Penitentiary.

DECEMBER 12, 1853.

Statement showing the number of Convicts in the

Nos.	NAMES.	AGE.	CRIMES.
1	John Powel.....	28	Larceny.....
2	James B. McMahon.....	26	Murder.....
3	Michael Kelly.....	19	Attempt to commit rape
4	S. Stickney <i>alias</i> Smith....	30	Larceny.....
5	James H. Dyson.....	43	Manslaughter.....
6	Clinton Terrell.....	23	Negro stealing.....
7	Zachariah Williams.....	50	Attempt steal negroes.
8	William D. Brown.....	25	Larceny.....
9	Michael Daley.....	19	Larceny.....
10	Newton A. Galor.....	28	Larceny.....
11	John Ferguson.....	36	Negro stealing.....
12	James Calvin.....	41	Larceny.....
13	Phillip Perry.....	23	Stealing watch.....
14	Samuel Williams.....	27	Manslaughter.....
15	Augustus D. Varrelman....	42	Offering count. money.
16	John R. Craig.....	40	Negro stealing.....
17	Andrew Favre.....	22	Manslaughter.....
18	Jasper Sawyer.....	27	Perjury.....
19	Tilman P. Leathers.....	27	Shooting with int. to kill
20	Isam Lassiter.....	56	Bigamy.....
21	V. C. Wheeler.....	21	Forgery.....
22	William Russell.....	20	Grand larceny.....
23	Thaddeus W. Gilder.....	27	Negro stealing.....
24	Marshall Willett.....	42	Larceny.....
25	Johnson Clower.....	19	Larceny.....
26	Reuben Short.....	21	Assault and battery...
27	John Hunt <i>alias</i> Deer.....	31	Negro stealing.....
28	William Robinson.....	25	Perjury.....
29	George Jordan.....	26	Negro stealing.....
30	William Jones.....	36	Larceny.....
31	Samuel Carpenter.....	23	Manslaughter.....
32	Emme-lish-tubbee <i>alias</i> John	35	Larceny.....
33	John B. Curry.....	28	Robbing the mail.....
34	Joseph Johnson.....	22	Manslaughter.....
35	Thomas Mortimer.....	22	Larceny.....
36	Enoch Tate.....	29	Assault to kill.....
37	Isaac Tumey.....	35	Rape.....
38	William L. Cason.....	27	Forgery.....
39	Emmett Bartlett.....	20	.....
40	Franklin Williams.....	52	Assault with int. to kill
41	William Johnson.....	40	Larceny.....
42	William White.....	43	Grand larceny.....

Mississippi State Penitentiary, Nov. 30, 1853.

COUNTY.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
Coahoma	April 23, 1853	April 20, 1855	Ireland
Warren	March 2, 1852	Feb. 28, 1856	Ireland
Coahoma	Oct. 26, 1852	Oct. 3, 1855	Ireland
Hinds	April 4, 1852	April 2, 1854	Ohio
Panola	Feb. 22, 1853	Feb. 22, 1859	S. Carolina
Lawrence	Nov. 15, 1853	1863	Mississippi
Itawamba	Oct. 24, 1852	Oct. 9, 1855	N. Carolina
Warren	April 27, 1848	April 26, 1854	Virginia
Tishemingo . .	April 21, 1852	March 19, 1855	Ireland
Copiah	Nov. 29, 1846	Nov. 28, 1856	Tennessee
Holmes	Nov. 8, 1844	Nov. 8, 1854	Vermont
Yazoo	June 1, 1852	May 28, 1854	Ireland
Pontotoc	Nov. 12, 1852	Oct. 28, 1854	N. Carolina
Tippah	April 18, 1853	March 16, 1861	Alabama
Warren	June 17, 1851	June 14, 1857	Mississippi
Tishemingo . .	April 21, 1852	March 19, 1862	Pennsylvania
Hancock	Oct. 15, 1853	Oct. 8, 1857	Mississippi
Marshall	Feb. 19, 1853	Feb. 7, 1859	Alabama
Pontotoc	May 14, 1853	April 23, 1856	S. Carolina
Oktibbeha . . .	May 2, 1852	May 2, 1854	N. Carolina
Hinds	Oct. 7, 1852	Oct. 6, 1854	Alabama
Adams	Jan. 30, 1852	Jan. 24, 1857	Ohio
Clarke	Oct. 20, 1847	Oct. 16, 1857	S. Carolina
Harrison	Oct. 10, 1852	Sept. 27, 1854	New York
Carroll	Dec. 1, 1850	Dec. 1, 1855	Mississippi
Tippah	Sept. 26, 1853	Sept. 13, 1856	Tennessee
Adams	May 25, 1852	May 14, 1862	Mississippi
Warren	April 27, 1848	April 26, 1858	Pennsylvania
Lawrence	Nov. 11, 1851	Nov. 1, 1866	Georgia
Lauderdale . . .	Sept. 2, 1853	Aug. 24, 1859	N. Carolina
Yazoo	Dec. 5, 1850	Nov. 29, 1865	Mississippi
Neshoba	Nov. 17, 1853	Sept. 21, 1855	Mississippi
U.S.D.Ct.n.d.	Dec. 16, 1848	Dec. 6, 1858	Tennessee
Hinds	Oct. 6, 1851	Oct. 6, 1861	Georgia
Warren	June 15, 1853	June 8, 1855	Ireland
Holmes	June 18, 1851	June 12, 1861	Mississippi
Claiborne	Oct. 18, 1849	Oct. 8, 1861	Kentucky
Claiborne	April 14, 1850	April 12, 1855	Mississippi
Carroll	June 18, 1853	June 18, 1855	Kentucky
Pike	Oct. 27, 1853	Oct. 19, 1857	Virginia
Monroe	Nov. 26, 1853	Sept. 26, 1857	Tennessee
Harrison	Oct. 10, 1852	Sept. 27, 1855	S. Carolina

Statement showing the number of Convicts in the

NOS.	NAMES.	AGE.	CRIMES.
43	Moses Ivy.....	26	Ass. with tnt. to murder
44	Charles L. Loring.....	25	Larceny.....
45	James Hestie.....	21	Larceny.....
46	John H. Harrison.....	18	Larceny.....
47	William H. Foster.....	22	Passing count'ft money
48	Ebenezer Earl.....	50	Negro stealing.....
49	Charles Smith.....	23	Larceny.....
50	Michael Long.....	26	Negro stealing.....
51	Robert Mitchel.....	33	Arson.....
52	Calvin Bryant.....	24	.....
53	David Stone.....	39	Passing count'ft money
54	Henderson C. Wallace....	39	Manslaughter.....
55	Isaac Timms.....	20	Arson.....
56	Bird Newman.....	22	Larceny.....
57	John Raber.....	28	Larceny.....
58	John Doe.....	24	Larceny.....
59	George Wiggins.....	32	Manslaughter.....
60	William T. Jones.....	43	Larceny.....
61	Daniel Jones.....	....	Rape.....
62	Dillard Spradley.....	22	Attempt to disc'g pistol
63	Andrew Jones.....	....	Larceny.....
64	Samuel Hindman.....	36	Attempt to arson.....
65	William W. Morrison.....	23	Larceny.....
66	James Morrissay.....	40	Larceny.....
67	John F. Teague.....	17	Larceny.....
68	William P. Kearn.....	38	Shooting to kill.....
69	John Moore.....	32	Larceny.....
70	Frederick Stapton.....	59	Manslaughter.....
71	John Bland.....	34	Attempt to steal negro.
72	Patrick Brien.....	19	Larceny.....
73	Charles Smith.....	42	Larceny.....
74	Jasper N. Rogers.....	20	Larceny.....
75	John Linton.....	42	Larceny.....
76	.....	....	.....
77	Charles Williams.....	17	Larceny.....
78	Edward Murphy.....	26	Larceny.....
79	George Warren.....	19	Attempt to poison.....
80	Daniel W. Daniels.....	42	Perjury.....
81	Thomas Shannon.....	34	Larceny.....
82	Aaron Wallace.....	21	Burglary.....
83	E. J. Whitworth.....	21	Attempt to steal slave..
84	John Boyd.....	24	Larceny.....

Mississippi State Penitentiary, Nov. 30, 1853.

COUNTY.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
Neshoba.....	Nov. 17, 1853	Sept. 20, 1858	Alabama
Carroll.....	Feb. 28, 1850	Feb. 22, 1860	Maine
Jasper.....	April 22, 1852	April 7, 1854	Mississippi
Itawamba....	Nov. 29, 1853	Oct. 11, 1856	Alabama
Tunica.....	Sept. 17, 1847	Sept. 19, 1854	New York
Adams.....	Nov. 30, 1847	Nov. 26, 1857	New York
Jackson.....	Nov. 24, 1852	Nov. 16, 1856	Prussia
Warren.....	May 2, 1849	May 7, 1859	Ireland
Itawamba....	May 3, 1852	April 13, 1867	N. Carolina
Marshall....	Aug. 1, 1853	July 22, 1856	S. Carolina
Jackson.....	May 28, 1850	May 23, 1855	New York
Lafayette....	May 18, 1853	May 10, 1856	Tennessee
Itawamba....	May 3, 1852	April 13, 1862	S. Carolina
Yalobusha....	Dec. 10, 1852	Nov. 23, 1856	Tennessee
Adams.....	May 19, 1853	May 14, 1855	Germany
Carroll.....	May 29, 1850	May 28, 1855	New York
Holmes.....	June 17, 1850	June 13, 1857	Germany
Monroe.....	Nov. 26, 1853	Sept. 21, 1858	Georgia
Copiah.....	Dec. 20, 1851	Dec. 16, 1853	.....
Pontotoc....	May 14, 1853	April 26, 1855	Alabama
Hinds.....	June 1, 1850	May 31, 1854	New York
Harrison....	Oct. 20, 1851	Sept. 20, 1854	Ohio
Adams.....	Jan. 30, 1852	Jan. 24, 1854	New Jersey
Adams.....	May 19, 1853	May 14, 1855	Ireland
Monroe.....	May 15, 1845	May 1, 1854	S. Carolina
Madison.....	Oct. 22, 1850	Oct. 22, 1855	Ireland
Desoto.....	Dec. 20, 1852	Dec. 20, 1857	New Jersey
Hancock....	Oct. 23, 1850	Oct. 14, 1860	Poland
Wilkinson....	Dec. 20, 1851	Dec. 16, 1861	Ohio
Adams.....	Jan. 30, 1852	Jan. 14, 1854	Pennsylvania
Yazoo.....	June 1, 1852	May 22, 1854	Connecticut
Monroe.....	Nov. 26, 1853	Sept. 24, 1856	Alabama
Warren.....	Dec. 14, 1852	Dec. 11, 1854	England
.....			
Warren.....	March 2, 1852	Feb. 28, 1854	New York
Warren.....	March 2, 1852	Feb. 28, 1854	Ireland
Warren.....	June 16, 1852	June 12, 1855	New York
Copiah.....	Nov. 29, 1849	Nov. 28, 1856	New York
Warren.....	June 16, 1852	June 12, 1854	Ireland
Hancock....	April 28, 1851	April 11, 1856	Maine
Marshall....	Feb. 19, 1853	Feb. 4, 1855	Tennessee
Marshall....	Feb. 24, 1851	Feb. 10, 1859	Alabama

Statement showing the number of Convicts in the

NOS.	NAMES.	AGE	CRIMES.
85	James Clayton.....	27	Larceny.....
86	Emanuel Mixel.....	35	Larceny.....
87	James McIntyre.....	38	Attempt to poison.....
88	Abram Trainer.....	25	Larceny.....
89	George Brooks.....	26	Grand larceny.....
92	William Saffell.....	20	Larceny.....
93	Levi Maples.....	23	Manslaughter.....
94	Joseph Baker.....	37	Attempt at rape.....
95	James Perkins.....	20	Murder.....
96	Andrew Burgess.....	24	Larceny.....
97	Austin Williams.....	27	Larceny.....
98	Thomas Rogers.....	41	Larceny.....
99	Edward Butler.....	32	Larceny.....
100	John Thompson.....	23	Larceny.....
101	Henry Kline.....	17	Larceny.....
102	Thomas Chancy.....	23	Larceny.....
103	Ashley Adams.....	20	.....
104	Jesse Tedder.....	68	Attempt to poison.....

Mississippi State Penitentiary, Nov. 30, 1853.

COUNTY.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
Warren.....	June 15, 1853	June 11, 1855	New Jersey
Warren.....	June 16, 1852	June 11, 1854	Pennsylvania
Warren.....	June 16, 1852	June 18, 1855	England
Claiborne....	April 25, 1853	April 12, 1855	Pennsylvania
Copiah.....	June 26, 1853	June 16, 1858	Germany
Monroe.....	April 29, 1853	April 15, 1855	Alabama
Itawamba....	May 1, 1853	April 26, 1859	Tennessee
Perry.....	May 25, 1853	May 12, 1858	Mississippi
Perry.....	May 25, 1853	May 14, 1861	Mississippi
Warren.....	June 16, 1853	June 11, 1855	Virginia
Warren.....	June 16, 1853	June 11, 1855	Pennsylvania
Warren.....	June 16, 1853	June 11, 1855	Ireland
Warren.....	June 4, 1853	June 4, 1855	Kentucky
Warren.....	June 11, 1853	June 11, 1855	New York
Warren.....	June 11, 1853	June 11, 1855	Pennsylvania
Warren.....	June 11, 1853	June 11, 1855	Newfoundland
Carroll.....	June 18, 1853	June 18, 1855	Massachusetts
Chickasaw...	March 24, 1848	March 10, 1858	N. Carolina

FLEMING L. SWANN, *Superintendent.*

Jackson, Dec. 12, 1853.

[DOCUMENT B.]

MISSISSIPPI PENITENTIARY, }
December 21st, 1853. }

To the Board of Inspectors :

GENTLEMEN :—Below, please find condensed report of an inventory of all stock, tools, and other property, belonging to the Penitentiary, on the 30th of November, as taken by order of the Board, Dec. 7th, 1853 :

Stock in Cotton and Wool factory, ...	\$16,545 56	
Tools and Furniture do. do	195 00	-\$16,740 56
Stock in Wood shop, ...	3,107 75	
Tools in do. do.	1,418 47	4,526 22
Stock in Smiths shop, ...	595 33	
Tools in do. do., ...	836 46	1,441 73
Stock in Shoe shop, ...	265 50	
Tools in do. do., ...	290 25	555 75
Stock of Provisions, ...		585 92
Machinery, Engine, Corn Mill, &c., . .		32,051 28
Furniture in Prison and Office, ...		144 00
Stock in Apothecary's shop, ...		252 70
Stock of Clothing, ...		23 26
Stock of Wood, Mules, &c., ...		2,630
		\$60,741 42

The above is a recapitulation of the stock, tools, &c., belonging to the institution, which are enumerated, and recorded in full in the Inventory book of the Penitentiary, filed in my office.

All of which is respectfully submitted.

H. H. LINDSEY,
Clerk.

REPORT.

STATE COMMISSIONER'S OFFICE,

Jackson, January 2, 1854. }

*To His Excellency, Henry S. Foote,
Governor of the State of Mississippi :*

As the term of office, for which I was appointed, draws near to its close, and as many of the present members of the Legislature may not have had an opportunity of examining my former communications in regard to my official duties, I deem it proper, at this time, to respectfully submit the following report, embracing, briefly, the entire transactions of my office, since the date of my commission.

The office of State Commissioner was created for the purpose of collecting and saving as much as possible of the various amounts due from individuals to the Sinking Fund, Seminary Fund, and Town Lot Fund. To effect this, the State Commissioner was invested with full power and control over these funds, for the collection and payment into the Treasury of the several debts due them, and was empowered, further, with the advice and approval of the Governor and Attorney-General, to make compromises with debtors, when it might be thought advisable, and for the best interests of these funds.

The wisdom of this action of a former Legislature has been manifested by the results. Previous to the creation of the office, or rather offices, which, by the act of March 2d, 1846, were consolidated into one, the condition of these funds was so complicated and unknown, that but little could be done to protect and secure them. Although, perhaps, the too sanguine expectations of some have not been realized in the amount collected or secured to be paid hereafter ; yet, enough has been accomplished to demonstrate the propriety of its creation, and justify, under existing circumstances, its continuance. A large amount of the Sinking and

Seminary Funds has been saved, which otherwise would have been a total loss. The several reports of my predecessors will speak for themselves. Up to this date, I have collected the sum of \$31,659 29, and secured to be paid, a large amount of which is now due, the sum of \$32,931 91, making in all the sum of \$64,591 20, besides a section of land, lying in the county of Bolivar, deeded by the Hon. Wm. Yerger, on compromise, with the estate of R. A. Patrick.

With regard more particularly to

THE SINKING FUND :

The amount, nominally due this fund, up to the 1st of January, 1850, was estimated by my predecessor, at the sum of \$705,845 26, the most of which was by him truly represented as desperate. Many of the original debtors are dead, and others scattered about over the States of Texas, Louisiana, Arkansas, Tennessee, &c. Judgments have been obtained, at various times, against some or all of the parties, but during the pecuniary embarrassments—from 1836 to 1842—aided by Delay and Relief and Woman's Rights Laws, much of the property, which was liable to satisfy them, has been so securely kept out of the way, that even the long arm of the law has never been able to reach it. Suits are still pending in the Inferior and Superior courts of this State, and one has been taken up to the Supreme Court of Tennessee. It is impossible to form any opinion as to the amount of this fund, which may be yet saved.

The most that can be done is in the way of compromises. The Supreme Court of this State has decided that the statute of limitation does not apply to the State, and it remains to be tested whether the courts of the adjoining States will reaffirm the opinion. In view of this, to get rid of these old judgments, hanging over them, parties interested have been and are still coming forward, offering to compromise upon reasonable terms. By the advice and approval of the several Governors and the Attorney-General, I have, during my official term, effected the following compromises on debts due the Sinking Fund.

Names of Parties.		Amount secured.
Sinking Fund	vs. Charles Lynch, et al,	\$ 7,500 00
Ditto,	vs. R. A. Patrick, et al,	sec. of land
Ditto,	vs. Thos. Bernard, et al,	4,785 00
Ditto,	vs. Wm. M. Gwin, et al,	10,000 00
Ditto,	vs. E. C. Hankinson, et al,	1,275 00
Ditto,	vs. James J. Chewning, et al,	850 00

The first three compromises have been fully carried out and perfected. The amounts specified, as secured by the three last, are partly due and unpaid and partly not yet due but all are secured by the notes of reliable solvent parties.

There is due from the Hon. Robert J. Walker, under a compromise made with my predecessor, the sum of about 11,000 dollars, including interest. I have waited very patiently, as I could do no better, for this gentleman, distinguished alike for his literary and financial ability, to carry out an agreement which I believe is both for his own interest and that of the Fund. From some late indications, I indulge the hope that something will soon be done. There are several propositions for compromises now before me, for my consideration, which at the earliest opportunity I shall lay before the Governor and Attorney General.

By compromises made by my predecessors, a quantity of land lying in different counties, has been taken, which by the approval of the Governor and Attorney General, I am authorized to sell. Of those lands, with their approval, I have sold the following, viz :

In the County of Rankin.

Lots 4, 5, 6—section 22, township 5, range 1 E.

Lot 1—section 28, township 5, range 1 E.

N. w. $\frac{1}{4}$ w. $\frac{1}{2}$ n. e. $\frac{1}{4}$ section 27, township 5, range 1 E.

Lot 1—section 21, township 5, range 1 E.

E $\frac{1}{2}$ section 26, township 5, range 1 E.

E $\frac{1}{2}$ n. w. $\frac{1}{4}$ section 26, township 5, range 1 E.

These lands were sold for one-third cash, giving a credit for one and two years, on the balance, retaining the title of course.

The following lands are still held by the Sinking Fund, viz :

In the County of Rankin.

N. $\frac{1}{2}$ section 17, township 6, range 4 E.

S. e. $\frac{1}{4}$ section 17, township 6, range 4 E.

W. $\frac{1}{2}$ s. w. $\frac{1}{4}$ section 17, township 6, range 4 E.

E. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 18, township 6, range 4 E.

N. $\frac{1}{2}$ s. w. $\frac{1}{4}$ section 23, township 6, range 3 E.

N. $\frac{1}{2}$ section 24, township 6, range 3 E.

W. $\frac{1}{2}$ s. w. $\frac{1}{4}$ and s. e. $\frac{1}{4}$ s. w. $\frac{1}{4}$ section 28, town. 6, range 3 E.

E. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 29, township 6, range 3 E.

S. w. $\frac{1}{4}$ section 3, township 6, range 3 E.

S. e. $\frac{1}{4}$ section 4, township 6, range 3 E.

S. w. $\frac{1}{4}$ section 10, township 6, range 3 E.

S. e. $\frac{1}{4}$ section 21, township 6, range 3 E.

N. w. $\frac{1}{4}$ section 22, township 6, range 3 E.

In the County of Hinds.

N. w. $\frac{1}{4}$ section 17, township 7, range 2 W.

E. $\frac{1}{2}$ n. e. $\frac{1}{4}$ section 18, township 7, range 2 W.

W. $\frac{1}{2}$ n. e. $\frac{1}{4}$ section 17, township 7, range 2 W.

Twenty acres of e. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 18, township 7, range 2 W.

In the County of Madison.

Lots 1, 2, 3—section 34, township 8, range 2 E.

Lot 4—section 33, township 8, range 2 E.

In the County of Sunflower.

Lots 7, 8, 9—section 27, township 17, range 3 W.

Lots 9, 10, 11, 12, 13, 14, 15—sect. 22, town. 17, range 3 W.

Issaquena County.

N. w. $\frac{1}{4}$ section 30, township 13, range 7 W.

W. $\frac{1}{2}$ n. $\frac{1}{4}$ section 30, township 13, range 7 W.

N. w. $\frac{1}{4}$ section 19, township 13, range 7 W.

W. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 19, township 13, range 7 W.

Copiah County.

N. w. $\frac{1}{4}$ section 4, township 10, range 6 E.

E. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 4, township 10, range 6 E.

W. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 4, township 10, range 6 E.

E. $\frac{1}{2}$ s. w. $\frac{1}{4}$ section 4, township 10, range 6 E.

W. $\frac{1}{2}$ n. e. $\frac{1}{4}$ section 4, township 10, range 6 E.

N. e. $\frac{1}{4}$ section 5, township 10, range 6 E.

N. w. $\frac{1}{4}$ section 5, township 10, range 6 E.

E. $\frac{1}{2}$ s. w. $\frac{1}{4}$ section 32, township 1, range 1 W.

E. $\frac{1}{2}$ n. w. $\frac{1}{4}$ section 32, township 1, range 1 W.

W. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 32, township 1, range 1 W.

N. w. $\frac{1}{4}$ of n. e. $\frac{1}{4}$ section 32, township 1, range 1 W.

N. w. $\frac{1}{4}$ of s. w. $\frac{1}{4}$ section 32, township 1, range 1 W.

E. $\frac{1}{2}$ n. e. $\frac{1}{4}$ section 5, township 10, range 9 E.

W. $\frac{1}{2}$ s. e. $\frac{1}{4}$ section 28, township 1, range 1 W.

S. e. $\frac{1}{4}$ section 25, township 2, range 2 W.

Panola County.

N. e. $\frac{1}{4}$ section 36, township 27, range 2 E.

N. w. $\frac{1}{4}$ section 31, township 17, range 2 E.

This account does not include the lands lying in several of the northern counties, levied on, sold and bought in by the fund as the property of Walker & Bernard, which are awaiting the fulfilment of the compromise with the Hon. Rob't J. Walker. Upon his payment of the amount agreed to in the compromise, the State is bound to re-convey to his assignee whatever title she may have acquired by the sheriff's sales.

These lands are now beginning to attract public attention, and I believe they may soon be sold at fair prices. It is proper to say, that some of them are claimed by other persons.

I would here call the attention of the Legislature, as I have heretofore done, to the fact that these lands are considered by the assessors as liable to taxation, and some of them may have been forfeited for taxes, as I have paid no taxes on them, having no specie belonging to the fund at the time when said taxes were due. The folly of the State taxing its own lands, taking money from one pocket to put into the other, thereby incurring additional expense for nothing, is manifest. I do not believe these forfeitures, if any have occurred, are legal, but I trust the Legislature will hereafter provide against any such contingency.

I have collected of the Sinking Fund, the sum of \$22,634 34, and have secured to be paid, a part of which is now due, the sum of \$21,631 91, in all, the sum of \$44,266 25, besides the section of land before referred to.

THE SEMINARY FUND.

Under the act, approved March 7th, 1850, I was authorized to sell all lands belonging to this fund, which had not been previously disposed of. In pursuance of this act, I have disposed of the following lands, upon the best terms which could be had at the date of sale: section 32, township 9, range 4 west to R. M. Johnson, Jr., for the sum of \$6,400; east half of section 21, township 8, range 4 west, to Maybin & Russell, for the sum of \$3,200. Lots numbers 3, 4, 5, 6, and 7, of section 17, township 6, range 4 west, to O. C. Brooks, for the sum of \$3,000. One-fourth of these amounts, respectively, was paid in hand, the balance was to be paid in one, two and three years. All the payments fall due this 1st of January, 1854, and will be paid in a few days, as I have good reason to believe.

There is due the Seminary Fund, by compromise, the sum of \$6,400, from D. S. Pattison, of Claiborne county, in instalments, the last of which falls due on the 8th of June, 1854. This amount is secured by mortgage on lands and slaves, and if the money is not paid by the time the last instalment is due, I shall proceed to foreclose the mortgage. I trust the whole amount will be paid without legal proceedings.

There are yet two tracts of Seminary Land to be sold, for both of which I have had offers. One is a half section of land, near Baldwin's Ferry, in the county of Hinds, which seems never to have been valued at the time when the other Seminary Lands were valued by Commissioners, as the law then directed. I have offered this for sale at the valuation which three disinterested men may place upon it, and I think that I shall soon be enable to dispose of it at its real worth.

There is another tract of valuable land, lying in the county of Madison, for which I have been offered the sum of \$6,000; but as yet, it has been encumbered with a suit in chancery, which I believe will soon be at an end, if a chancery suit ever can be, and I shall be enabled to effect a sale for a greater amount.

Ever since I have been in office, the sum of \$6,720 06, belonging to the Seminary Fund, has been enjoined by Major Work, and is now in the hands of a receiver, awaiting the decision of the court. I have been endeavoring to press the matter as much as possible, but have not yet been able to obtain a decision, so as to release and obtain the money.

There is a judgment in favor of the Seminary Fund, against the estate of ——— Smith, deceased, of \$3,000, exclusive of interest, which is still pending in the Courts, and which must be ultimately collected. I have collected of the Seminary Fund, during my continuance in office, the sum of \$9,024 95, and secured to be paid, the sum of \$11,300. Of this latter amount, about half will be paid in a few days, as I have reason to believe.

TOWN LOT FUND.

I have received nothing from this Fund, for the following reasons: —

The same Legislature which created the office of State Commissioner, a few days after the passage of the act, for some reason, to me unknown, authorized the Auditor of Public Accounts and the Treasurer of the State to contract with the late Attorney General, John D. Freeman, Esq., for the bringing of all suits, necessary for the collection of this fund, and, in pursuance thereof, the then Auditor, James E. Matthews, Esq., and then Treasurer, Wm. Clark, Esq., entered into an agreement, in writing, with Gen. Freeman, to commence and prosecute said suits. Under that agreement, Gen. Freeman has proceeded to act up to this date. He has paid no money into my hands, but at my request, as I have considered it my duty to look into this matter, he has furnished me with a report of his transactions with this Fund, as well as some other matters in which the State is interested, but over which I have no control. It would appear, that the reason why he has not paid over the amount of the Town Lot Fund, which has come into his hands, is on account of alledged fees and services rendered, which remain unsettled. As nearly all these transactions were previous to my entering on the duties of my office, and as I do not feel authorized to settle and allow his account, particularly as many items thereof are in regard to matters over which I have no control, I have thought proper to append in

full, his report to my own, marked "C," that it may be laid before the Legislature for their action.

There is in my possession, received from my predecessor, about \$5,000, in Union Bank notes, which the Court compelled him to receive, but which there is no authority for paying into the Treasury.

The following tables, marked "A" and "B," will show the whole amount of the actual receipts, expenditures, and payments into the Treasury, on account of the Sinking and Seminary Funds.

All which is respectfully submitted,

ROBERT JOSSELYN,

State Commissioner.

[A.]

SINKING FUND.

RECEIPTS.		EXPENDITURES.	
From A. C. Downs, in Bonds and Coupons	\$1,600 00	Paid as per Vouchers filed, Jo. Bell, Secretary of State, for transcript.....	1 50
Cash.....	52 84	Paid W. C. Smedes, Esq., Attorney.....	52 84
From W. S. Spear, coupons.....	300 00	Paid Jo. Bell, Sect'y of State, for certifcate.	50
Cash.....	33 30	Paid A. Hutchinson, Esq., Attorney.....	141 66
From T. B. Hill, Bonds and Coupons.....	2,632 65	Paid Thos. H. Williams, Jr. Attorney.....	15 40
From Exec'r of B. Haley, bonds and coupons	810 00	Paid J. J. Deavenport, Esq., Attorney.....	25 00
From Lewis Sanders, Jr., Attorney, Bonds and Coupons.....	1,634 50	Paid A. Hutchinson, Esq., Attorney.....	89 65
From Mark Valentine, cash.....	141 66	Paid Telegraph Office.....	1 15
From E. R. Brown, Bonds.....	1,000 00	Paid W. H. Hampton, clerk for record'g deeds	2 50
From James H. Kerr, cash.....	200 00	Paid Lewis Saunders, Esq., Attorney.....	239 25
From W. R. Campbell, Bonds and Coupons	2,476 66	Paid Tax Collector of Jackson, tax on Lots,	26 50
From T. Bernard, Bonds and Coupons....	4,285 00	Paid N. B. Ward, clerk, cost of suits.....	62 91
Cash.....	500 00	Paid M. Cook, clerk, costs.....	17 00
From Lewis Sanders, Jr., Attorney.....	500 00	Paid L. Mims, Commissioner in Chancery...	50
From E. R. Brown, Coupons.....	660 00		
From Mrs. W.R. Campbell, bonds & coupons	5,532 68	Expenditures.....	676 26
From Jesse Hicks, cash.....	275 05	Paid into the Treasury,.....	\$21,906 54
	\$22,634 34		22,582 90
		Balance on hand.....	\$51 44

[B.

SEMINARY FUND.

RECEIPTS.	EXPENDITURES.
From Smith & Yerger..... \$ 161 80 From R. M. Johnson, Jr..... 1,600 00 From Maybin & Russell..... 800 00 From O. C. Brooks..... 750 00 From D. S. Pattison..... 512 00 From O. C. Brooks..... 750 00 From O. C. Brooks..... 750 00 From W. H. Russell..... 1,648 00 From R. M. Johnson, Jr..... 1,798 65 From Smith & Yerger..... 354 50	(As per Vouchers filed.) Fall & Marshall, advertising Seminary Lands \$12 00 E. Barksdale, advertising Seminary Lands... 10 00 W. H. Hampton, clerk of Hinds county, re- cording Mortgage..... 1 75 J. T. Sims, Ch'ry clerk, certificates of Decrees 2 25 J. A. Gage, clerk of Claiborne co., recording Mortgage..... 3 00 Barksdale & Jones, advertising Sem'y Lands 2 00 \$ 31 00 Paid into the Treasury, as per Vouchers filed 8,987 95 Expenditures..... 31 00 Total..... 9,018 95 Balance on hand..... \$ 6 00
\$9,024 95	

[C.]

JACKSON, Dec. 28, 1853.

HON. ROBT. JOSSELYN,

State Commissioner :

SIR: I have been heretofore employed by your predecessors in office, and by former Auditors, Treasurers and Governors, and also by the present Attorney General, as counsel for the State in a number of cases, some of which, have been completed, and others are still undetermined. The steps I have taken, have been heretofore reported to the several officers by whom I was employed, but as new officers have been recently elected who are not familiar with the business, it is proper that I should re-state its condition, in order that they may also be informed by your report of the same to the Governor.

The following is a copy of an agreement and contract entered into by the Auditor and Treasurer, and myself, under a statute of the Legislature referred to therein :

“WHEREAS, by an act of the Legislature, passed at the January session, 1846, the Auditor and Treasurer were empowered to settle the business pertaining to the town lot fund, and to employ the Attorney General to prosecute all suits arising out of the settlement of the same, and whereas, it is now necessary to bring and prosecute several suits for the recovery of money belonging to, and wrongfully withheld from said fund, it is therefore mutually agreed by the parties whose names are hereto signed, that said Attorney General shall have, and receive five per cent. commissions on the amount of all judgments and decrees obtained by him in favor of said fund.

JAMES E. MATTHEWS,
Auditor of Public Accounts.

W. CLARK,
State Treasurer,

JOHN D. FREEMAN,
Attorney General.

Signed in duplicate, this 21st day of March, A. D., 1846, in presence of Samuel Stamps.”

Under this agreement, I attended to the following cases .

Governor vs. D. Shelton; a suit in Hinds Circuit Court for money collected and not paid over to the amount of \$11,023 51-100. On the trial Shelton tendered the money in the notes of the Union Bank, and proved that he had collected the same, and under the instructions of the court, the jury considered the State bound to receive that paper in payment. The money was collected and paid by me to S. Matthews, State Commissioner. My commissions are unpaid.	\$ 551 17
Governor vs. David M. Dancey; judgment in Hinds Circuit Court, for \$3,244 08, \$1,800 of which has been paid to me. This case was taken by writ of Error to High Court and is undetermined. My commissions	162 20
Governor vs. Mallory, Foote, <i>et als.</i> decree in Chancery for \$1,425 66,—in charge of State Commissioner. My commissions	71 30
Governor vs. Black, <i>et als.</i> , decree in Chancery for \$612—in charge of State Commissioner. My commissions	30 60
Governor vs. Sutton, <i>et als.</i> ,—bill in Chancery for balance of purchase money of town lot, \$633—not yet determined on account of death of parties. Payment plead.	
Gov'r vs. S. M. Pucket, <i>et als.</i> ,—bill in Chancery for balance of purchase of town lots \$1,800 and interest undetermine and payment plead.	
Governor vs. Spengler, <i>et als.</i> Final decre in Chancery and money collected, \$5,425 10. My commissions	261 25
Governor vs. Dixon, <i>et als.</i> Final decree in Chancery for \$915, and money collected. My commissions	45 75
Governor vs. Graves and wife. Bill in Chancery for unpaid balance on town lot, \$1,000. Undetermined.	
Governor vs. Shelton and Shaw. Bill in Chancery for unpaid balance on town lot, \$455 and interest. Undetermined.	
State Commissioner vs. D. Shelton. A suit in Hinds Circuit Court for unpaid balance of money charged to have been collected by him and unpaid. This case involved the settlement of a long and litigated account between Shelton and the State for collections on account of the town lot fund. On the first trial Shelton recovered a small balance against the State, a new trial was granted, and a verdict for \$100 rendered for the	

State,—uncollected. My commissions $2\frac{1}{2}$ per cent. on amount sued for, \$5,000. 120 00

State Commissioner vs. Robert Hughes. A suit in Hinds Circuit Court on account of Sinking Fund, judgment for \$13,000 uncollected. My commissions $2\frac{1}{2}$ per cent. 325 00

Governor vs. George Work. A suit in Hinds Circuit Court for \$5,000 balance of money collected on account of town lot and other funds. After this suit was instituted, George Work, the defendant, filed his bill in Equity, setting up several other claims against the State and claiming a balance of several thousand dollars against the State. The pleadings and proofs are now before the Chancellor for final disposition, and a speedy determination is expected. By this suit, the complainant, Work, has enjoined the payment into the Treasury of several sums of money due the town lot fund to meet the alleged balance he claims against the State. There is in my hands \$1,899, and other sums in the hands of S. Matthews, former State Commissioner, awaiting the decision of the Chancellor.

State Commissioner vs. Cohea and Quitman, *et als*. A suit in Adams Circuit Court on account of Sinking Fund. Judgment for principal and interest amounting at present to upwards of \$15,000. The execution is enjoined in the hands of the State Commissioner. The parties are abundantly able to pay the debt. My commissions, 5 per cent. on \$15,000 750 00

Samuel C. Ratliffe vs. the Governor. Bill in Chancery to enjoin the collection of \$7,196 06. Injunction dissolved and bill dismissed. Seminary land compromised by State Commissioner. My commissions $2\frac{1}{2}$ per cent. 179 90

Charles Hester vs. the Governor. A bill in Chancery to enjoin the collection of \$7,196 6.100 due for Seminary land. Submitted and argued on bill, answer and exhibits, and ordered by the Chancellor to be remanded to the rules with liberty to the defendant to file cross bill for a specific performance of the original contract. Compromised and settled by State Commissioner. My commissions $2\frac{1}{2}$ per cent. 179 90

Brown, Governor, vs. John H. McDaniel. McDaniel filed his petition to set aside sales of certain Seminary lands, charging a defect of title. Without notice to to the State the sales were set aside. When discovered, a petition was filed, stating the facts and

praying to have the order of rescision set aside. The Chancellor refused the petition, and an appeal was taken to the High Court of Errors and Appeals, where the Chancellor's opinion was reversed. Soon after this decision, the papers in the case disappeared, and prevented further proceedings; they have recently come to light, and further steps will now be taken to secure the balance of the purchase money.

William D. Smith, *et als.* vs. the State. Injunction bill to enjoin collection of \$2,900. Injunction dissolved and *scire facias* to revive against the executors of Smith, deceased, in Hinds Circuit Court. Commissions 5 per cent.

145 00

In addition to the foregoing cases, I also received the following retainers from Governor Matthews and Attorney General Glenn :

EXECUTIVE CHAMBER,
Jackson Miss., Nov. 29th, 1849. }

GEN. JOHN D. FREEMAN :

DEAR SIR : You will please act as Attorney for the State in the case of Farish against the State of Mississippi, also the case of J. E. Matthews vs. the State of Mississippi, in the Superior Court of Chancery, and also two cases of the State vs. J. E. Matthews in the Circuit Court of Hinds county. The Attorney General having been counsel against the State in these cases, is disqualified to defend the interest of the State.

Your obedient servant,
J. W. MATTHEWS,
Governor.

EXECUTIVE CHAMBER, June 15th, 1848.

HON. JOHN D. FREEMAN :

DEAR SIR : As several important suits are pending in the Vice Chancery Court at Natchez, in which the interest of the State is deeply involved, you will please attend the ensuing term of said Court as counsel for the State.

I am, most respectfully,
Your obedient servant,
J. W. MATTHEWS.

EXECUTIVE CHAMBER,

March 30th, 1849.

Honorable J. D. Freeman :

DEAR SIR: Inclosed you will find the letter of the Auditor of Public Accounts, giving a statement of taxes due the State; the collection of which has been suspended by judicial proceedings.

I wish you to take such steps as to you may deem most expedient to secure the speedy collection of the revenue.

Your friend and obedient servant,

J. W. MATTHEWS.

AUDITOR'S OFFICE,

Jackson, March 21st, 1849.

His Excellency, J. W. Matthews, Governor :

SIR: I beg leave to call your attention to the following facts in connexion with the revenue of the State. In virtue of assessment of arrearages of taxes for past years, including 1848, the sum of \$164,306 47 is now due to the State from the various banking institutions hereafter mentioned, the collection of which is now suspended under various injunctions and orders of Boards of Police: From Commercial and Railroad Bank of Vicksburg

enjoined	\$ 87,679 00
“ Commercial Bank of Rodney	10,033 74
“ Bank of Port Gibson	1,993 65
“ Commercial Bank of Manchester	5,638 90
“ Agricultural Bank and Com'l Bank of Natchez, ...	75,342 07
To which add assessments, for 1848, on Commercial Bank of Manchester and Grand Gulf Bank, on which suits are necessary	3,619 11

\$184,306 47

Nearly all the injunctions granted to stay the collection of the above assessments, have been based on a supposed power in the Boards of Police to relieve and release the assets of these banks from assessments made under the Revenue acts of 1841, 1844, 1846 and 1848, upon their capital stock, or money loaned.

This power has been exercised in various orders, which, although, *prima facie*, sufficient to stay collections, are yet believed to be made without authority of law. In the meantime, the Trustees are collecting and appropriating the assets, to the injury of the claims of the State. It is essential, to enable the State to collect, that proper proceedings be instituted to annul these erroneous orders, and to restrain the Trustees from removing the indebtedness to these institutions from a condition in which it may be made liable to the operation of the act of 1848, “To enable the tax collectors more efficiently to collect the revenue of the State.”

I have felt it my duty to advise your Excellency of the existence of these impediments to the collection of so large a portion of the revenue means of the State, that you may take such action as may be needful to secure them.

I have the honor to remain,

Your obedient servant,

GEO. T. SWANN,
Auditor, &c.

P.S. There is also an assessment of \$15,000, taxes, on the Bank of Mississippi, from 1838 to 1848, in Washington county, to realize which, I am informed that judicial proceedings in behalf of the State, will be necessary, the assets of that bank being all in the hands of a receiver in chancery, already, at the instance of other creditors.

G. T. SWANN,
Auditor, &c.

Jackson, April 1st, 1849.

His Excellency, J. W. Matthews, Governor, &c.:

DEAR SIR: Your letter of March 30th, 1849, enclosing the letter of the Auditor of Public Accounts, exhibiting accounts in favor of the State of Mississippi against the several Banks and the Trustees thereof, for the sum of \$184,306 47-100, and requesting me to take legal steps to collect the same, has been received and examined. It appears that the assets of these banks have gone into the hands of trustees and receivers, for the benefit of their respective creditors. In several cases the collectors have been enjoined by Bills filed in the Vice Chancery Court, at Natchez, from collecting the taxes; in the case of the Bank of Mississippi, the assets of the Bank have been removed from Washington county to Natchez, and placed in the hands of Chas. A. Lacoste, as a receiver, and the Sheriff finds nothing in Washington county out of which to make the taxes.

It will, therefore, be necessary to file bills in the Vice-Chancery Court, at Natchez, to enforce the rights of the State against the assets of these banks, in the hands of their respective trustees and receivers. Neither the District Attorney nor Attorney-General is authorized or required by law to attend that court, and I therefore regard your two letters to me—the first, of June 15th, 1848, and the latter, of March 30th, 1849, as retaining me specially as counsel for the State, with authority to do all that is necessary in my judgment to enforce the collection of money due the State, as set forth in the letter of the Auditor. Under your letter of June 15th, I have already given my legal attention to two Bills filed in the Vice-Chancery Court, at Natchez, against S. B. Newman, tax collector. I moved to dissolve the injunctions for want of equity on the face of the bills, and because the State was not made a party. Vice-Chancellor Smylie overruled my motions, and I appealed to the High Court, where the cases are now pending.

If the foregoing meets your approbation, I will proceed at once to take the necessary legal steps to collect the money as requested in your previous letter.

With great respect, your obed't servant,

JOHN D. FREEMAN.

EXECUTIVE CHAMBER,

April 20, 1848.

Honorable J. D. Freeman :

DEAR SIR : In my letter of 31st March, requesting you to take the proper steps to secure the collection of certain amounts due the State, I was well satisfied that the service requested to be performed was not within the range of your official duties, but having confidence in your legal abilities, and knowing that the ablest counsel will be employed by the Banks, I am in hopes you will give the matter your strict attention, and I have no doubt but that the Legislature will compensate you for your services.

Your friend and obedient servant,

J. W. MATTHEWS.

ATTORNEY-GENERAL'S OFFICE,

Jackson, May 6th, 1850.

General John D. Freeman :

DEAR SIR : There are two Bills of Injunction filed in the District Chancery Court, at Natchez, by the Commercial and Agricultural Bank Trustees, to suspend the collection of taxes due the State of Mississippi, for the year 1849.

These cases require attention at the hands of the State. It is not a part of my official duty to attend to them, and I cannot at present leave here. I have no power to give you a retainer in these cases, of any binding force. But I desire you to give them your attention, from the fact that your experience, as late Attorney-General, has made you more familiar than others, with the principles involved in these cases ; believing that the Legislature will make you a fair and reasonable compensation for your services in the premises.

I am, Sir, very respectfully, yours, &c.

D. C. GLENN.

The immediate cause of this action on the part of the Auditor and Governor, with regard to the Bank taxes, was the passage of an act by the Legislature, bearing date February 25, 1848, en-

titled, "An act to enable the tax collectors more efficiently to collect the revenue of the State;" a portion of which reads as follows:

"Be it enacted, &c., That in those counties where incorporated banks are located, and such banks are liable to taxation, and have heretofore refused or neglected to pay the same, viz: *twenty-five cents* on every share, or on every *hundred dollars of their capital stock subscribed for*, and the county tax due thereon, it shall be the duty of the tax collector where no visible property can be found, to ascertain by any means in his power, who, if any, are indebted to such bank or their assignees, trustees or agents, and to advertise such indebtedness, whether it be bond, note or bills, for the space of fifteen days, posted up at the Court-house door, and two other public places in said county, and sell the same to the highest bidder for cash, or so much thereof as will pay the State and county tax due thereon, including all arrearages of taxes not heretofore paid up; and the purchaser or purchasers of such bond, note, or bill, shall have the same power to sue for and collect the same as the bank assignee, trustee or agent, would have had, if such sale had not been made. Act to operate from its passage."

This statute, like all preceding statutes, providing a tax on the Capital Stock of Banks, to be paid by the banks themselves, speaks of the tax as a specific tax of *twenty-five cents on every share*, or on *every one hundred dollars subscribed for*; and excludes the idea that an *ad valorem* tax on the value of the stock in market, was ever intended by the Legislature.

Under these retainers, I entered upon the discharge of my duties for the State. Suits were commenced in the Circuit Court of Hinds County, vs. James E. Matthews, and sureties, for a balance of \$2,795, claimed of him on a settlement of his accounts as Auditor. Matthews then filed a bill in Chancery, setting up equitable claims as an offset, and with the vast amount of business in that court, has delayed final action by the Chancellor, until the present time.

The result of the suits in the Circuit Court will await the decision in Chancery. The litigation of these cases will be worth	\$	300.00
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In the case of Farish vs. the State, in Chancery Court, Farish claimed \$33,000, the full amount of a contract for carpenters' work on the State House. The claim was severely contested, both in Chancery and the High Court of Errors and Appeals, and resulted in a decree in favor of Farish, of \$11,000. My associate counsel, (Gen. Smith) in the case, was allowed \$500 for his fees. I charge same amount	\$	500.00
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The amounts involved in the litigation in the Vice-Chancery Court, at Natchez, were as follows:

Commercial Bank of Rodney.....	\$10,033 74
Bank of Port Gibson.....	1,993 65
Agricultural and Commercial Banks.....	75,342 07
Total	\$87,369 46

After the first Bills of Injunction were filed by the banks, they continued to file bills to enjoin the collection of the taxes for each successive year, until the final decision was made by the High Court. That decision was against the State. With all due deference to the court, I think the decision was wrong ; but the decision is final ; and the State can seek no further relief. I have heretofore furnished the Governor with a copy of my argument in the cases. There were five cases contested in the High Court, presenting the questions in as many different forms as possible, in order to leave no effort unmade to have a fair decision on all the points of law and fact involved.

For legal services in such cases, the lowest fees known to the profession in this State, are two and a half per cent. commissions on the amount sued for, in the court below, and a reasonable fee in addition for argument and attention in the High Court. One hundred dollars for each case, in the High Court, would be as low as any respectable counsel would charge :

2½ per cent. commissions on \$87,369 48, equal to	
\$2,184 23 per \$100 for five cases in High Court,	
500,00	\$ 2,684 23

I file herewith a copy of the report of L. V. Dixon, Commissioner in Chancery, in the case of myself, against the State, for other legal services: also, the opinion of Chancellor Cocke, in the same case. The Commissioner allows me the sum of

\$ 5,315 39

\$11,621 69

Deduct amt. collected by me.	\$ 8,140 10
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\$ 3,481 59

The Chancellor, in his opinion says, "The power of the Governor to employ him (me) to prosecute on behalf of the State, in any of the Circuit Courts, I regard as ample as was his power in that respect to employ any other attorney,—but in nothing greater. In looking to the proof, it appears that the said John D. Freeman, did attend said Circuit Court, at several terms thereof, for the pur-

pose of prosecuting as counsel for the State, the said cases, and that in the prosecution thereof, he rendered an able, laborious and successful service to the State, in that behalf.

By the Commissioner's report, and the testimony on which it is founded, it appears that the allowances are not greater than the usual charge of attorneys, in cases of like difficulty and importance."

Here is a full admission of the justice of the claim, and the Chancellor recommends the Legislature to pay it.

He only declines to sign a decree on a technical question of *jurisdiction*. He admits the *jurisdiction* and the *duty* of the Legislature to *pay the debt*. A decree would be of no higher authority. I therefore rely on the justice of the Legislature to allow what the *witnesses* in Chancery, the Commissioner in Chancery, and the *Chancellor himself*, has declared to be my due. My professional labor is my property. The State has received and enjoyed it. The Constitution of the State declares that no person's property shall be *taken or applied to public use* without the consent of his representatives, and without *just compensation being made herefor*.

With great respect, your obedient servant,

JOHN D. FREEMAN.

• OPINION OF CHANCELLOR COCKE.

JOHN D. FREEMAN,	} On motion to confirm Commissioner's Report and on final hearing :
vs.	
The State of Mississippi.	

The facts of this case are as follow: Albert G. Brown, while Governor of the State, and in his official capacity, employed the Complainant, as an Attorney and Counsellor at law, to prosecute, on behalf of the State, Richard S. Graves and his sureties, on his official bond, as Treasurer, in the Circuit Court of Carroll county, for embezzling the public money. In like manner, to prosecute Horace Pagaud, in the Circuit Court of Warren county, for the forgery of a large amount of Auditor's Warrants, on the State Treasury; and also to prosecute the Planters' Bank, on behalf of the State, in the Circuit Court of Adams county, on *quo warranto* proceedings, for the purpose of ousting the said bank of her charter, and depriving her of her corporate powers and privileges.

It seems that at the time of his employment, the said John D. Freeman held the office of Attorney General of said State, and was charged with the performance of the duties of that office; but that, as connected with the Courts, the professional duties of the

Attorney General were confined to proceedings in the High Court of Errors and Appeals and the Superior Court of Chancery, in cases in which the State or any county thereof was interested. As Attorney General, he had no immediate official connection with any proceedings in any of the Circuit Courts of the State. The power of the Governor, therefore, to employ him to prosecute on behalf of the State, in any of the Circuit Courts, I regard as ample as was his power in that respect to employ any other attorney, but in nothing greater. In looking to the proof, it appears that the said John D. Freeman did attend said Circuit Courts, at several terms thereof for the purpose of prosecuting, as counsel for the State, the said cases, and that in the prosecution thereof, he rendered an able, laborious and successful service to the State in that behalf. By the Commissioner's Report, and the testimony on which it is founded, it appears that the allowances are not greater than the usual charge of Attorneys in cases of like difficulty and importance. But was it competent for the Governor, by such an employment, to create a debt or a demand against the State, and as such, to be recovered through the Chancery Court.

In the case of James E. Matthews against the State, I held that it was incumbent on the Governor to see that the laws were faithfully executed; and considered the temporary appointment of Matthews, Treasurer, while Graves, the Treasurer, was under suspension for embezzling the public money, proper, though Matthews was then Auditor; and that Matthews' services for the time was the rightful subject of allowance by way of charge against the State, corresponding to the compensation to which Graves would have been entitled, as Treasurer, if he had not been suspended. The analogy between that case and this, is not, however, very striking. That belonged to the Executive department; the office for the time being was suspended; the salary of the office was fixed by law; and the action of the Governor only necessary to supply a temporary incumbent. This case differs from that, in this: the several cases belonging to the Judicial department; then, there was no vacancy in the office of District Attorney. There was then an incumbent, and he charged with the particular duty. The compensation sought is not claimed on the office of District Attorney for the services, but in addition to, and independent of it. But in important cases, like these, I can perceive a great fitness and propriety in furnishing aid to the District Attorneys. The great difficulty is, how they shall be paid, and to what order of magistracy belongs the power of making the allowance.

By the testimony of Governor Tucker, it appears that he was in the habit of thus employing attorneys, and paying them out of the Contingent Fund of his department, merely reporting the same to the Legislature. That practice was a matter between him and the Legislature, and furnishes no rule for the Judicial conduct of this Court. But Governor Brown has not thus paid the complainant:

had he done so, it would also have been in like manner a matter between him and the Legislature.

In the matter of the employment of John D. Freeman, Esq., to prosecute on behalf of the State in the case stated, it seems by exhibit A, to the petition of claimant, filed before the Committee on Claims of the Legislature, made part of his Bill, that the agreement between Governor Brown and himself, on the subject, was "the Governor assuming to pay his expenses in going to and returning from the different Courts, (I suppose out of the contingent fund, of course,) and he to rely on the justice of the Legislature to reward his services in such amounts as they might think just." The question, then, by the agreement, refers itself to the Legislature for adjustment, and not to the courts.

In view of the testimony, I can safely commend the complainant's claim to the favorable consideration of the Legislature. It appropriately addresses itself to that body; but I know of no authority given by law to the Governor to authorize him to employ counsel to aid the District Attorney to prosecute on behalf of the State, and for such Attorney to charge fees therefor, and recover the same from the State by a Chancery Court Decree. I think it cannot lawfully be done. It is therefore my duty to set aside the Commissioner's report, and dismiss the Bill. Let the same be done.

S. COCKE.

THE STATE OF MISSISSIPPI, }
 SUPERIOR COURT OF CHANCERY. }

I, Jonathan T. Simms, Clerk of said Court, do certify, that the three foregoing pages contain a full and correct copy of the opinion of the Chancellor, delivered in the case of John D. Freeman, vs. the State of Mississippi, in said Court, numbered 4463 on the files thereof, on the 20th of October, 1851, taken from the original now on file in my office.

In testimony thereof I have hereto signed my name and
 L. s. affixed the seal of said Court, the 21st day of October,
 A. D. 1851.

J. T. SIMMS, Clerk.
 By L. MIMS, d. c.

JOHN D. FREEMAN,
 4463. vs.

The State of Mississippi.

} In Superior Court of
 } Chancery, at Jackson.

This cause having been referred to the undersigned Commissioner of said Court to compute, ascertain and report to the Court upon the account of said complainant, and the said defendant by A.

Hutchinson, attorney, &c., having appeared before the undersigned, and introduced proofs in relation to the said account, upon summing up said proofs, it appears to your Commissioner that said complainant is entitled to have of said defendant the amount of the following stated account to-wit :

1845.			
Feb'y	10	To amount of per cent. fee for obtaining judgment on the official bond of R. S. Graves, Treasurer, &c., in Carroll county Circuit Court, for the sum of \$51,865 47, being 2 1-2 per cent. on said sum	\$1,286 63
		To interest at 6 per cent. on this sum from January, 1846, to 15th January, 1850	308 76
May		To prosecution of Horace Pagaud, for forgery on three indictments in Warren Circuit Court, in which case accused was on first trial found guilty, new trial granted when he was acquitted	2,000 00
		To interest on this sum from 15th January, 1846, to 15th January, 1850, 6 per cent.	480 00
May	5	To fee for obtaining judgment of forfeiture against the Planters' Bank of Mississippi, in Adams Circuit Court	1,000 00
		To interest on this sum, from 15th January, 1846, to 15th January, 1850, at 6 per cent.	240 00
			\$5,315 39

In regard to the first item of the above account, your Commissioner deems it proper to state that the complainant contends that he is entitled to have the amount of his fee ascertained by calculating the per cent. upon the whole amount of the bond sued upon, and upon which the court gave their judgment, of the propriety of which position your commissioner is not convinced, as it is his opinion that the per cent. should be charged only upon the sum for which the forfeiture of the conditions of the bond was declared, and that the judgment of the Court was merely formal, and intended only as a condemnation of the whole bond for the benefit of plaintiff, to the extent of the damages assessed by the jury, he has therefore allowed 2 1-2 per cent. on this assessment—\$51,865 47; which complainant has proved himself to be entitled to, being the usual fee charged for prosecuting a claim to judgment. Your Commissioner has thought proper to allow the whole of the second item of

\$2,000, notwithstanding some of the proofs are conflicting, because in carefully weighing these proofs, your Commissioner believes the preponderance of proof inclines to complainant, and because, also, a portion of the proof would sustain the complainant in a larger sum than he has charged or claimed, in the third item of said account, and which your Commissioner has set down at the sum claimed by complainant, being as aforesaid less than some of the proof justified.

He further reports that Complainant contends for the allowance of interest from the date of the rendition of the service, which your Commissioner has refused to allow, because he is of opinion that a party is not entitled to interest upon an open account unascertained or liquidated, until he has made a demand for a settlement and payment thereof, and has therefore only allowed interest on said account from a date when complainant proved he had so demanded a settlement and payment of his account by the defendant, and a neglect and refusal by defendant to make such settlement.

So that your Commissioner reports that there will be due for principal and interest, from defendant to complainant, on the 15th day of January, 1850, the sum of five thousand three hundred and fifteen 39-100 dollars, and that he has assumed the 15th January, 1850, to close the interest account, because this cause will not in all probability be called before that date, and which would make the calculation of interest to that date even four years.

All of which is respectfully submitted.

L. V. DIXON,
Commissioner.

DECEMBER 26, 1849.

The fees I have charged are not only sanctioned by the uniform custom of Attornies and the judicial decision of Chancellor Cocke, and of all the courts of this State, but also by the custom of the State itself. In the collection of the Sinking fund, amounting to nearly *one million of dollars*, the numerous attornies employed by the State, received similar fees, as will appear by the records of the Chancery Court.

I also append herewith the statements of D. Shelton, Esq., and Major George Work, who have had business for the State to the amount of \$350,000, from which it appears that they have received of the State similar fees.

With great respect, your obedient servant,

JOHN D. FREEMAN.

STATEMENT OF D. SHELTON, ESQ.

JACKSON, December, 1853.

DEAR SIR: I have received your note of the 28th December 1853. In reply thereto, I will state that about 1837, a large number of town lot notes, amounting to near *fifty thousand dollars*, in all, were placed in the hands of Mayson and Shelton, of which firm I was a member, for collection. From time to time collections were made on these notes, and settled by me with the Auditor of Public Accounts. On most of these settlements, the commissions for collection were settled at the time, and uniformly, at 5 per cent., on the amount collected. Some of the 5 per cent. commissions, and also the whole of the commissions at 2 1-2 per cent. on nulla bona cases, stood open for final settlement, and a controversy involving these matters grew up between myself and the State, and was tried. In that controversy, I claimed the commissions as above stated, and also some small items of extra charge, one of which was a fee of \$100, I believe, in the Supreme Court, in a case which was taken to that Court. On trial before a jury, these being proven, were, as I suppose, all allowed, for the jury found a balance in my favor, and on the final disposition of the cause I got the benefit of those claims as I have no doubt.

Very respectfully,

D. SHELTON.

STATEMENT OF MAJOR GEO. WORK.

JACKSON, Dec. 28, 1853.

SIR: In answer to your interrogatories, I state that, about one hundred and fifty thousand dollars (\$150,000) of notes for town lots in Jackson, due the State of Mississippi, and about the same amount were put into my hands of the Seminary fund, exclusive of interest, say (\$300,000) *three hundred thousand dollars* principal.

In this business, I proved that 5 per cent. on the amounts collected, and 2 1-2 per cent on what was not collected, was the usual fees of Attornies at law, in that part of Mississippi, at Jackson, and the country thereabout, and this I am satisfied has been, since 1835, when I came to the State, the usual fees of Attornies at law, and when the case went to the High Court, the Attorney was entitled to the usual fee for the case in said High Court. These fees were allowed me by the officers of the State in the aforesaid business of the State.

GEORGE WORK.

GEN. J. D. FREEMAN.

TUESDAY, JANUARY 3, 1854.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Elliott.

The journal of yesterday was read and approved.

Mr. Adams presented a memorial from James Dick Hill, a minor, praying the Legislature to pass an act allowing him to act as an adult and citizen, contract and be contracted with, as though he were twenty-one years of age ; which was read.

Mr. Adams introduced a bill entitled an act for the benefit of James Dick Hill ;

Which was read a first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

Upon the further motion of Mr. Adams, the said rule was suspended again, and the bill read a third time and passed.

Ordered, That the title stand as stated.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act to amend the criminal law of this State, so as to prohibit pleas in abatement, to the sufficiency of grand jurors.

The bill was read the first time.

On motion of Mr. Oliver, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

On motion of Mr. Ellett, the bill was referred to the committee on the judiciary.

On motion of Mr. Berry, the Senate took a recess of thirty minutes, preparatory to meeting the House of Representatives in convention, for the purpose of electing a Sergeant-at-Arms and a State Printer.

On the re-assembling of the Senate, the following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the resolution of the Senate, adopting the joint rules for the government of both Houses, at the last session, as the rules for the government of both Houses at the present session.

And have passed a Senate bill of the following title :

A bill to be entitled an act for the relief of James Dick Hill.

Which is herewith returned to the Senate.

I am instructed by the House of Representatives, to inform the Senate, that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two Houses proceed to the election of a Sergeant-at-Arms and State Printer.

At the expiration of the recess, which the Senate had taken, it

was called to order by the President, and, on motion, repaired to the House of Representatives, and went into convention with the other branch of the Legislature, for the purpose of electing a State Printer and a Sergeant-at-Arms.

On motion of Mr. Starke, of the House, the convention proceeded to elect a State Printer, by *vivo voce*.

Mr. Gordon, of the House of Representatives, nominated Messrs. E. Barksdale and F. C. Jones, of the city of Jackson.

Mr. Harper of the House of Representatives, nominated Mr. Thomas Palmer, of the city of Jackson.

Upon calling the roll of the Senate, the following Senators voted for Messrs. Barksdale & Jones :

Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Ellett, Greer, Hough, Koger, McWillie, Monroe, Oliver, Pegues, Pope, Ramsay, Steele, Stuart, and Webb—19.

For Mr. Palmer,

Messrs. Adams, Allen, Arthur, Cobb, Nelson; Reynolds, and West—7.

Upon the roll of the members of the House of Representatives being called, sixty-four Representatives voted for Messrs. Barksdale & Jones, and nineteen Representatives voted for Mr. Palmer.

Messrs. Barksdale & Jones having received a majority of the votes of the two Houses of the Legislature in convention assembled, the President of the Senate, and of the convention, declared that they had been duly and legally elected State Printers, to act for the present Legislature, or until their successors were elected.

The convention of the two Houses, upon motion, then proceeded to vote for a Sergeant-at-Arms, by *viva voce*, and the following nominations were made :

Mr. Koger, of the Senate, nominated Mr. D. R. Corley, of the county of Tishemingo.

Mr. Adams, of the Senate, nominated Mr. T. C. McMakin, of Hinds county.

Mr. Webb, of the Senate, nominated Mr. Samuel Redus, of the county of Copiah.

Mr. Bennett, of the Senate, nominated Mr. Francis Cross, of the county of Newton.

Mr. Ramsay, of the Senate, nominated Mr. R. D. Patton, of Hinds county.

Upon calling the roll of Senators, the following Senators voted for Mr. Redus :

Mr. President, and Messrs. Banks, Beene, Berry, Ellett, Pope, Steele, Stuart, and Webb—9.

For Mr. Corley,

Messrs. Greer, Koger, Nelson, Oliver, and Reynolds—5.

For Mr. Cross,

Messrs. Acker, Bennett, Hough, McWillie, Monroe, Pegues, West—7.

For Mr. McMakin,

Messrs. Adams, Allen, Arthur, and Cobb—4.

For Mr. Patton—Mr. Ramsay—1.

Upon calling the roll of the House of Representatives, the following was the vote of that branch of the Legislature :

For Mr. Redus.....	17 votes
For Mr. Cross.....	12 votes
For Mr. McMakin.....	13 votes
For Mr. Corley.....	37 votes
For Mr. Patton.....	1 vote

No candidate having received a majority of the votes of the convention, it proceeded to vote a second time.

The following Senators voted for Mr. Redus :

Mr. President, Messrs. Banks, Bennett, Cobb, Ellett, Ramsay, Steele, and Webb—8.

For Mr. Corley,

Messrs. Acker, Adams, Arthur, Beene, Berry, Greer, Hough, Koger, McWillie, Nelson, Oliver, Pope, Reynolds, and Stuart,—14.

For Mr. McMakin,

Messrs. Allen and West—2.

For Mr. Cross,

Messrs. Monroe and Pegues—2.

The name of Mr. McMakin was then withdrawn by Mr. Adams of the Senate.

Upon the list of members of the House of Representatives being called,

Mr. Corley received.....	68 votes
Mr. Redus received.....	32 votes
Mr. Cross received.....	8 votes

Mr. Corley having received a majority of the votes of the two Houses of the Legislature, the President of the Senate declared that he was legally elected Sergeant-at-Arms.

The object for which the two Houses of the Legislature had convened having been accomplished, the President of the Senate announced that that body would return to the Senate Chamber.

Upon the re-assembling of the Senate, upon the motion of Mr. Steele, the Senate adjourned until ten o'clock to-morrow morning.

WEDNESDAY. JANUARY 4, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

The President then announced the following Standing Committees, to-wit :

On the Judiciary—Messrs. Beene, Acker, Alcorn, Adams, and Ellet.

On Finance—Messrs. Drane, Reynolds, Allen, Hemingway, and West.

On Accounts—Messrs. Oliver, Bennett, Steele, Johnson, and Monroe.

On Public Buildings—Messrs. Adams, Pegues, and Farrar.

On Federal Relations—Messrs. McWillie, Cobb, Pope, Koger, and Reynolds.

On Enrolled Bills—Messrs. Stuart, Webb, and Johnson.

On Engrossed Bills—Messrs. Webb, Hough, and Graves.

On the Penitentiary—Messrs. Greer, Ramsey, Hough, Arthur, and Banks.

On Seminary Fund—Messrs. Pegues, Allen, Cobb, Pope, and Alcorn.

On Elections—Messrs. Bennett, Monroe, and Nelson.

On Education—Messrs. Ramsey, Berry, Farrar, Stuart, and Webb.

On Banks and Currency—Messrs. Nelson, Drane, Ellett, Oliver, and Cobb.

On Internal Improvement—Messrs. Acker, Reynolds, Pegues, West, Greer, Banks, McWillie, Alcorn, and Allen.

On Claims—Messrs. Pope, Arthur, and Graves.

On Unfinished Business—Messrs. Farrar, Hough, and Steele.

On County Boundaries—Messrs. Banks, Graves, and Beene.

On Propositions and Grievances—Messrs. Berry, Stuart, and Nelson.

On the Militia—Messrs. Reynolds, Allen, and Stuart.

The President then announced to the Senate that the presentation of petitions and memorials would be in order.

Mr. Steele introduced the following resolution, to-wit :

Resolved, (The House of Representatives concurring,) that the two Houses will meet in the Hall of the House of Representatives to-morrow at eleven o'clock, A. M., for the purpose of counting out the votes for Governor of this State, cast on the 7th and 8th days of November, 1853.

Which was read, and on motion of Mr. Steele,

The rule requiring joint resolutions to lie on the table one day, was suspended, the resolution read the second time and passed.

On motion of Mr. Adams, the bill for the benefit of James Dick Hill, a minor, was considered as enrolled.

On motion of Mr. Adams, the Governor's message was taken up.

Mr. Adams moved the printing of 5000 copies, which motion was lost.

Mr. Koger moved the printing of 1500 copies; which motion was lost.

Mr. Ellett moved the printing of 500 copies; which motion was lost.

Mr. Ramsay moved the printing of 2000 copies; which motion was lost.

On motion of Mr. Reynolds, the proposition to print 1500 copies of the Governor's message, was re-considered.

And on motion of Mr. Koger, 1500 copies of the Governor's message was ordered to be printed.

The yeas and nays being called for by three Senators, are as follows:

YEAS.—Mr. President; Messrs. Adams, Allen, Arthur, Banks, Bennett, Berry, Cobb, Hough, Johnson, Koger, McWillie, Monroe, Nelson, Pope, Ramsey, Reynolds, and West—18.

NAYS.—Messrs. Acker, Beene, Ellett, Greer, Oliver, Pegues, Steele, Stuart, and Webb—9.

The following message was received from his Excellency the Governor, to-wit:

MR. PRESIDENT—I am instructed by the Governor to inform the Senate, that he has this day signed a bill, entitled an act for the benefit of James Dick Hill.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following joint resolutions:

Resolved, (The Senate concurring,) That the two Houses meet in the Hall of Representatives, on Friday, the 6th January, inst. at 12 o'clock, M., for the purpose of counting the votes cast for Governor, on the 7th and 8th days of November, 1853.

Resolved, (The Senate concurring,) That the Sergeant-at-Arms be authorized to pre-pay the postage on public documents, sent off by the members of the Legislature, during the present session, and to render an account of the same, with the receipt of the Post-master in his bill.

Resolved, (The Senate concurring,) That the State Treasurer be, and he is hereby authorized to use, in the payment of warrants drawn on the Treasury, whatever amount of cash that may be in the Treasury, belonging to the Chickasaw School Fund, and the Internal Improvement Fund; *Provided*, said funds shall be reimbursed out of the general tax fund, when paid into the Treasury.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of a bill, to be entitled an act to provide for holding the Circuit and Probate Courts of this State.

And have adopted the following joint resolution :

Resolved, (The Senate concurring,) That the two Houses meet in the Representative Hall, on Saturday the 7th January, inst., at 12 o'clock, M., for the purpose of electing a U. S. Senator.

In which the concurrence of the Senate is desired.

On motion of Mr. Pope, the message from the House was taken up.

On motion of Mr. Adams, the joint resolution of the House of Representatives, in relation to counting the votes cast for Governor on the 7th and 8th days of November, 1853, was laid upon the table.

On motion of Mr. Pope, the joint resolution of the House of Representatives, in relation to authorizing the Sergeant-at-arms to pre-pay the postage on public documents, sent off by members of the Legislature, was laid upon the table.

The joint resolution of the House of Representatives, in relation to the election of United States Senator, was then taken up.

Mr. Pope moved to strike out "Saturday," and insert "Monday," which was lost, and the resolution concurred in.

Mr. Ellett gave notice that he would, on to-morrow, ask leave to introduce bills with the following titles; to-wit :

A bill to be entitled, an act to regulate the mode of selecting and empannelling grand jurors ; also,

A bill to be entitled, an act for the relief of James W. McClure, of the county of Claiborne.

Mr. Acker gave notice that he would, on to-morrow, ask leave to introduce bills of the following titles, to-wit :

A bill to be entitled, an act to incorporate a manufacturing company in the town of Camargo.

A bill to be entitled an act to incorporate the Camargo Branch Rail-road Company .

Mr. Arthur gave notice that on to-morrow, or some subsequent day, he will introduce a bill entitled, an act for the relief of the sheriff of Warren county, and for other purposes.

On motion of Mr. Adams,

The Senate adjourned until to-morrow morning 10 o'clock A. M.

THURSDAY, JANUARY 5, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

The President then announced to the Senate that the presentation of petitions and memorials would be in order.

The following message was received from the House of Representatives, through their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT—I am instructed to inform the Senate of the appointment of the following Joint Standing Committees, on the part of the House :

On Claims—Messrs. Burt, Chandler, Nabers, Butler, and Hammer.

On Accounts—Messrs. McQueen, Roy, Harper of Hinds, Dickens, and Powe.

On State and Federal Relations—Messrs. Rozell, Gordon, McLaurin, Starke, and Shackelford.

On Enrolled Bills—Messrs. Gilleland, Bardin, Hight, Tarver, and Siddall.

On Penitentiary—Messrs. Thames, Covington, Taylor, Austell, and Holder.

The House of Representatives have refused to concur in the joint resolution of the Senate, fixing upon to-morrow at 11 o'clock, a. m., for the joint assemblage of the two Houses, for the purpose of counting the votes cast for Governor of this State, on the 7th and 8th days of November, 1853, and insist upon the concurrence of the Senate in the joint resolution of the House, fixing on Friday, the 6th inst., as the day for counting out said votes.

The House of Representatives have adopted the following joint resolutions :

Resolved, (the Senate concurring) That the 4th joint standing rule of both Houses be amended, by adding thereto a committee to be called the Joint Standing Committee on the Lunatic Asylum.

Resolved, (the Senate concurring) That the two Houses meet in the Hall of Representatives, on Wednesday the 11th January, inst., at 12 o'clock, m., for the purpose of electing a Superintendent and Clerk of the Penitentiary, and State Librarian.

In both of which I am requested to ask the concurrence of the Senate.

The House of Representatives insist upon the concurrence of the Senate in the joint resolution of the House, authorizing the Sergeant-at Arms to pre-pay postage on public documents sent off by the members of the Legislature, during the present session.

And have given leave to the introduction of bills of the following titles :

A bill to be entitled an act providing for a special term of the Circuit Court of Washington county.

A bill to be entitled an act to amend the several acts of this State, concerning runaway slaves.

A bill to be entitled an act to provide compensation to the several sheriffs of this State, in certain cases.

A bill to be entitled an act to relinquish to the United States, jurisdiction over a lot of ground, as a site for the erection of a military asylum at East Pascagoula, Jackson county, Mi.

Mr. Pope presented a petition from sundry citizens of Leake county, accompanied with

A bill to be entitled an act for the relief of Jonathan Benge ;
Which was read the first time.

On motion of Mr. Pope, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Pope, the rule was further suspended, the bill considered as engrossed, and read the third time.

Mr. West moved to lay the bill upon the table, which motion was lost.

On motion of Mr. Pope, the bill was made a special order of the day on to-morrow.

Mr. Arthur presented a petition from Jas. O. Wilson, of Warren county, for divorce,

Which was read the first time ;

And, on his further motion, was referred to the committee on Propositions and Grievances.

Mr. Acker asked and obtained leave to introduce the following resolution :

Resolved, That the Secretary of State be required to furnish the Senate, with a statement of the number of free white persons in the several counties and cities of this State, as returned by the assessor of taxes for the several counties, under the act of 1852.

Which was read, and on motion of Mr. Acker, the same was adopted.

Mr. Oliver asked and obtained leave to introduce the following preamble and resolution :

Whereas, the constitution of the State of Mississippi requires the Governor "to give from time to time to the Legislature information of the State government, and recommend to their consideration such measures as he may deem necessary and expedient :

And, whereas, by the 6th article of the Declaration of Rights, it is declared that every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty : Therefore, be it

Resolved, That all that part of the Message of the Governor to the word "State," at the close of the twenty-third line, on the 6th page of the Message, as printed by the order of the Senate, be referred to the committee of the whole Senate, and that the remainder of said Message be passed over by the Senate as wholly irrelevant to the discharge of any of the appropriate duties of the Executive or the Legislature.

Mr. Hemingway moved to strike out all after the word "and," in said resolution, which motion was lost.

Mr. Adams asked and obtained leave to introduce the following preamble and resolution, as a substitute :

Strike out after the word, "whereas," and insert :

Whereas the Governor has sent a message, in writing, to the Le-

gislature, which has been read in the hearing of the Senate, and ordered to be printed: Therefore,

Resolved, That on Monday next the Senate will go into committee of the whole house, on the Governor's message.

Which was read.

The yeas and nays being called for, was decided in the negative, by yeas and nays, and are as follows:

YEAS—Messrs. Adams, Allen, Arthur, Cobb, Hemingway, Johnston, Koger, Nelson, Reynolds, West—10.

NAYS—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Ellet, Greer, Hough, McWillie, Monroe, Oliver, Pegues, Ramsay, Steele, Stuart, and Webb—17.

On motion of Mr. Steele, the preamble and resolution were laid on the table, and made the order of the day on to-morrow at 11 o'clock a. m.

Mr. West asked and obtained leave to introduced the following resolution, which, on his motion, was adopted, to-wit:

Resolved, That the Secretary of State furnish to the Senate, at as early a day as practicable, information in writing, of the present condition of the Internal Improvement Fund, the amount of lands appropriated, the amount of lands now on hand, the amount of money appropriated, and the purpose to which such appropriations have been made.

Mr. Cobb asked and obtained leave to introduce the following resolutions, to-wit:

Resolved, That the Senator, or (if there shall be) Senators in Congress, from this State, be hereby instructed to vote against all nominations of free soilers or abolitionists, known and acknowledged to be such, in event that such nominations by the President of the United States, have been or shall be sent to the Senate.

Resolved, That the principle of interference, by the Federal Executive, with State elections, wherever and by whomsoever practised, is vicious in theory, opposed to the acknowledged rights of the States, consolidative in tendency, and directly antagonistic with the spirit and intent of the Federal constitution.

Resolved, That the adjustment or compromise measures of 1850, thus styled and held, were clearly intended, in the opinion of this Legislature, as also by general interpretation, to counteract and prohibit all attempts, by Congress, to impose slavery restrictions on any territory of the United States, and that any territory has the indisputable right to seek admission, as a State of this Union, with or without slavery, as the people thereof may determine, provided such territory shall present to Congress a republican constitution.

Resolved, That the Senators and Representatives in Congress, from this State, be hereby respectfully solicited to co-operate in some proper plan, if not decided opposedly to their sense of duty to the constitution, for the purchase by Congress, of Mount Vernon;

that said sacred property may forever remain in custody of the government, and be removed from all speculative enterprises.

Resolved, That the Senators in Congress, from this State, be hereby instructed, and the Representatives requested, to vote against any appropriation of the public money, whether from surplus funds or otherwise for the construction of any railroad to the Pacific ocean, against any plan which may be brought forward to connect the government, in any way officially with such railroad, and against all future appropriations from the National treasury, for surveys or locations of any routes for said railroad, it being the opinion of this Legislature, that no undue discrimination should be made by the Federal Government in favor of the Pacific Railroad Company over any such company, and that the construction of such railroad should be left, as in other cases, to individual enterprise, provided that nothing in this resolution shall be considered adverse to the appropriation by Congress, in aid of said railroad, a like proportion of the public land, as has been donated to other railroad companies.

Which, on motion of Mr. Cobb, 200 copies were ordered to be printed, and the resolutions made the order of the day for Monday, 16th January instant.

Mr. Koger gave notice that he would, on to-morrow, ask leave to introduce a bill to be entitled an act for the benefit of married women.

Mr. Acker gave notice that on to-morrow, or some subsequent day thereafter, he would ask leave to introduce a bill to be entitled an act to amend an act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson and Great Northern Railroad Company, approved 11th March, 1852.

Mr. Reynolds asked and obtained leave to introduce a bill of the following title, to-wit :

A bill to be entitled an act to authorize the Secretary of State to appoint a chief clerk.

Which was read the first and second time, and referred to a select committee of three.

The President appointed Messrs. Reynolds, Ellett and West on said committee.

Mr. Ellett introduced the following resolution :

Resolved, That the documents accompanying the Governor's message be referred to a select committee of three, to report such documents as it may be deemed proper to print for the use of the Senate.

Which on motion was adopted.

The President appointed on said committee, Messrs. Ellett, Cobb and Ramsay.

On motion of Mr. Greer, the joint resolution from the House of Representatives, in relation to the counting of the votes for Gover-

nor, cast on the 7th and 8th days of November, 1853, was concurred in.

On motion of Mr. Ramsay, the message received from the House of Representatives, was taken up.

And, on motion of Mr. Ramsay, the joint resolution of the House of Representatives, in relation to the 14th joint standing rule of both Houses, was amended, by striking out the word "fourteenth," and inserting thirteenth, and the resolution concurred in.

On motion of Mr. Arthur, the joint resolution of the House of Representatives, in relation to the election of a Superintendent and Clerk of the Penitentiary, and State Librarian, was concurred in.

The following message was received from his Excellency the Governor :

EXECUTIVE CHAMBER,
Jackson, Jan'y, 5, 1854. }

To the Senate and House of Representatives :

GENTLEMEN: I have the honor herewith to announce to you my resignation of the office of Governor of the State of Mississippi, to take effect on to-morrow at 12 o'clock. Hoping that your future deliberations may be marked with harmony and amicable feeling, that your whole action may tend to advance the happiness and maintain the honor of the State of Mississippi, and that you may individually enjoy the blessing of physical health during your present session.

I have the honor to be, your fellow citizen,

H. S. FOOTE.

Which was read, and,

On motion of Mr. Hemingway, was laid on the table.

On motion of Mr. Ellett, the Senate adhered to the former disagreement to the joint resolution from the House of Representatives, in relation to the pre-paying of postage by the Sergeant-at-Arms.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to incorporate the Carmargo Branch Railroad Company.

Which was read the first and second time and referred to the committee on Internal Improvements.

Mr. Acker asked and obtained leave to introduce a bill of the following title :

A bill to be entitled an act to incorporate a manufacturing company in the town of Camargo.

Which, on his motion, was read the first and second time, and referred to a select committee.

The President appointed on said committee, Messrs. Acker, Drane and McWillie.

Mr. Bennett asked and obtained leave to introduce a bill of the following title :

A bill to be entitled an act granting pre-emption rights to actual settlers upon the swamp and overflowed lands, granted to the State of Mississippi, by act of Congress of the 28th Sept. 1850.

Which, on his motion, was read the first and second time, and referred to the committee on Internal Improvements.

Mr. Ellett asked and obtained leave to introduce a bill of the following title :

A bill to be entitled an act to regulate the mode of selecting and empannelling grand juries.

Which, on his motion, was read the first and second time, and referred to the judiciary committee, and 200 copies ordered to be printed.

Mr. Oliver introduced the following resolution :

Resolved, That the Judiciary committee be instructed to inquire into the expediency of introducing a bill to require the attendance of witnesses in any suit at law in this State to attend from term to term, until the suit is disposed of, under the same subpœna.

Which was adopted, and the resolution referred to the Judiciary committee.

On motion of Mr. Ramsay, the Senate adjourned until to morrow morning, 10 o'clock.

FRIDAY, JANUARY 6, 1854.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Elliott.

The journal of yesterday was read and adopted.

The President then announced that petitions and memorials would be in order.

Mr. Ellett, from a select committee, made the following report, to-wit :

Mr. PRESIDENT :—The committee to whom were referred the documents accompanying the Governor's message to select and report such as it might be deemed proper to print for the use of the Senate, have instructed me to report that they recommend the printing of 2000 copies each of the Auditor's and Treasurer's report, and of the reports of the officers of the Penitentiary, with accompanying documents and exhibits. Also 500 copies of the report of the State Commissioner, with the accompanying documents, and 200 copies of the report of the Adjutant-General, with

the accompanying documents, which was read, and on motion of Mr. Ellett, the report was received and agreed to, and committee discharged.

Mr. Koger asked and obtained leave to introduce a bill of the following title, to-wit :

A bill to be entitled an act for the benefit of married women; which was read.

On motion of Mr. Koger, the rule was suspended, the bill read a second time by its title, and referred to the Judiciary Committee.

Mr. Acker asked and obtained leave to introduce a bill of the following title, to-wit :

A bill to be entitled an act to amend an act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson and Great Northern Rail Road company, approved March the 11th, 1852; which was read; and on motion of Mr. Acker, the rule was suspended, the bill read a second time by its title, and referred to the committee on internal improvements.

Mr. Arthur asked and obtained leave to introduce a bill to be entitled an act for the relief of the sheriff of Warren county, and for other purposes; which was read.

Mr. Hemingway offered the following amendment, to-wit :

"Amend by striking out Warren county, and inserting Warren and Carroll counties; which was adopted; and on motion of Mr. Steele, the rule was suspended, the bill as amended read a second time, and referred to the judiciary committee.

Mr. West asked and obtained leave to introduce the following resolution, to-wit :

Resolved, That the Secretary of State be requested to furnish in writing to the Senate, information in relation to the submerged lands of this State, donated to the State of Mississippi in 1850, for certain purposes. To report the amount of land taken up by private entry or otherwise, and by what authority entered, and such other information as will be of interest to the people of the State of Mississippi.

Mr. Adams offered the following amendment, to-wit :

"Insert after the word entered," and also a statement of the amount of fees, received during the past year by his predecessor, for entries of land, deeds, &c., which was read; and on motion of Mr. Adams, the resolution, as amended, was adopted.

Mr. Koger gave notice that on to-morrow, or some other day thereafter, he will ask leave to introduce a bill to alter the Constitution of the State of Mississippi, so as to hold the elections on the first day of October, instead of the first Monday and Tuesday in November; and for convening the Legislature on the first Monday in November succeeding the election, instead of the first Monday in January, as now established by law.

Mr. Steele introduced the following resolution, to-wit :

Resolved, That the State Treasurer be requested to inform the

Senate whether or not the trust fund drawn from the Treasury by resolution of the Legislature of 1852 has been reimbursed; which was read, and on motion of Mr. Steele was adopted.

ORDERS OF THE DAY.

A bill introduced by Mr. Pope for the relief of Jonathan Benge, was called up, and on motion of Mr. Oliver, was read a second time and ordered to be engrossed.

The resolution offered by Mr. Oliver, in reference to Governor's message, was called up and adopted.

Mr. Cobb asked and obtained leave to introduce a bill of the following title, to-wit :

A bill to be entitled an act to incorporate the town of Crawfordsville, in the county of Lowndes, and for other purposes; which was read, and on motion of Mr. Cobb, the rule was suspended, the bill read a second time by title, and ordered to be engrossed.

Mr. Ellett gave notice that he will on to-morrow or some early day, ask leave of the Senate for the introduction of a bill to be entitled an act to amend the Constitution of the State of Mississippi.

The message from his Excellency, Governor Foote, containing his resignation, was then called from the table, and the hour of 12 o'clock having arrived, the office of Governor of the State of Mississippi being vacant, the President of the Senate vacated the Chair as presiding officer of the Senate.

On motion of Mr. Ellett, the Senate proceeded to the election of a President *pro tempore*.

On motion of Mr. Adams, the Senate proceeded to elect a President *pro tempore*, *viva voce*, and the following is the result :

For Mr. Acker—Messrs. Allen, Arthur, Beene, Bennett, Berry, Cobb, Ellett, Greer, Hemingway, Hough, Johnston, Koger, Mc-Willie, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart and Webb—23 votes.

For Mr. Allen—Messrs. Adams and West—2 votes.

Mr. Acker having received a majority of all the votes cast, was duly and constitutionally elected President *pro tempore* of the Senate.

On motion of Mr. Berry, the Senate took a recess of ten minutes.

The recess having expired the Senate met.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT:—I am instructed by the House of Representatives to inform the Senate that the Hall of the House is now in readiness for your reception, to the end that the two Houses proceed to count the votes for Governor.

On motion of Mr. Webb, in compliance with the notice from the House of Representatives, the Senate proceeded to the Hall of the House for the purpose of counting the vote cast for Governor on the 7th and 8th days of November, 1853.

The President of the Senate having explained the object of the Convention, on motion of Mr. Ellett, the following resolution was adopted :

Resolved, That the Secretary of State be required to transmit to this Convention all the returns of votes in the late election for Governor, received at his office under seal, whether the said returns were made separate from, or in connection with other officers.

On motion of Mr. Anderson of the House, the Convention took a recess until 4 o'clock, p. m.

The recess having expired, the President of the Senate called the Convention to order.

Mr. West of the Senate moved to reconsider the vote taken upon the resolution offered by Mr. Ellett, which was lost.

Mr. Mathews offered the following resolution, to-wit :

Resolved, That all returns, certified by the proper officer, made to the Secretary of State, be counted, whether in the general returns or separate.

Mr. Anderson of the House offered to amend the resolution by inserting the word "*correctly*" before the word "certified," which was lost.

Mr. Cobb moved to lay the resolution on the table, which was lost.

The resolution was then adopted.

The vote cast for Governor having been counted, the following is the result, to-wit :

OFFICIAL RETURNS of the VOTE FOR GOVERNOR.

COUNTIES.	MCRÆE.	ROGERS.
Adams,.....	341	415
Amite,.....	393	420
Attala,.....	913	474
Bolivar,.....	63	78
Calhoun.....	802	470
Carroll,.....	714	899
Chickasaw*,.....	773	809
Choctaw.....	870	837
Claiborne,.....	310	366
Clarke,.....	516	267
Covington,.....	356	107
Coahoma,.....	134	206
Copiah,.....	788	322
DeSoto,.....	988	875
Franklin,.....	248	199
Greene,.....	174	97
Hancock,.....	324	78
Harrison,.....	443	159
Hinds,.....	810	1029
Holmes,.....	574	663
Itawamba,.....	1204	1048
Issaquena,.....	79	97
Jackson,.....	345	20
Jasper,.....	551	310
Jefferson,.....	340	302
Jones,.....	171	128
Kemper,.....	631	514
Lauderdale,.....	716	567
Lawrence,.....	653	76
Leake,.....	500	391
Lafayette,.....	809	688
Lowndes,.....	576	750
Marion,.....	358	69
Madison.....	518	597
Monroe,.....	825	1057
Marshall,.....	1362	1188
Neshoba.....	473	152
Newton,.....	353	226
Noxubee,.....	388	657
Oktibbeha,.....	430	413
Perry,.....	145	167

OFFICIAL RETURNS—(Continued.)

COUNTIES.	McRAE.	ROGERS.
Pike,.....	571	197
Pontotoc.....	1317	1128
Panola,.....	539	580
Rankin,.....	516	380
Scott,.....	347	192
Simpson,.....	369	219
Smith.....	470	160
Sunflower,.....	44	74
Tunica,.....	50	40
Tippah.....	1477	1309
Tishemingo,.....	1335	1427
Tallahatchie,.....	231	292
Warren,.....	449	707
Washington,.....	101	118
Wayne,.....	107	146
Wilkinson,.....	385	358
Winston,.....	553	448
Yallobusha.....	699	768
Yazoo,.....	595	559
	32,116	27,279
	27,279	
Majority for McRae,.....	4,837	

The Speaker of the House announced that John J. McRae, having received the highest number of votes polled at the late November election for Governor, is duly and constitutionally elected Governor of the State of Mississippi, for the time prescribed by the Constitution.

The joint meeting having accomplished the object of their assemblage, the Senate withdrew to their chamber.

On motion of Mr. Greer, the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, JANUARY 7, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read and corrected.

The Executive department of the State having become vacant, by the resignation of his Excellency Gov. H. S. Foote, the Hon. John J. Pettus, the President of the Senate, *ex officio*, became Governor on yesterday at 12 o'clock, he vacated the chair as President of the Senate, and to-day at 11 o'clock, a. m. the oath of office was administered to him by the Hon. C. P. Smith, chief justice of the State of Mississippi.

Mr. Arthur presented the petition of John M. Fleming; which was referred to the committee on Claims.

Mr. Greer presented the petition of James W. Williams; which was referred to the committee on Claims.

Mr. Greer offered the following joint resolution, which was adopted:

Resolved, (with the concurrence of the House,) That a committee of seven on the part of the Senate, and — on the part of the House of Representatives, be appointed on the Chickasaw School Lands and Funds.

The President appointed as said committee, on the part of the Senate, Messrs. Greer, Webb, Oliver, Reynolds, Beene and Steele.

Mr. Pope asked and obtained leave to introduce a bill to be entitled an act for the benefit of the Vice Chancellor of the middle district Chancery Court of Mississippi, and for other purposes.

Which was read.

On motion of Mr. Pope, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and referred to a select committee composed of Messrs. Pope, Johnston and Oliver.

Mr. Webb, from the committee on Engrossed Bills, made the following report:

MR. PRESIDENT—The committee on engrossed Bills to whom was referred the bill to be entitled an act for the benefit of Jonathan Benge, of Leake county, have found the same to be correctly engrossed.

On motion of Mr. Pope, the bill was read a third time by its title and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Ellett, Senate took a recess until 12 o'clock, m.

The recess having expired, the Senate again convened.

The following communication was received from the State Treasurer:

STATE TREASURY,
Jackson, Jan. 7, 1854, }

To the Honorable, the Senate of the State of Mississippi:

GENTLEMEN: In answer to your resolutions of yesterday, requesting me to inform the Senate "whether or not the Trust Funds drawn from the Treasury by resolution of the Legislature of 1852, have been reimbursed."

I have the honor to state, that there is nothing on the books of this office showing that the Trust Fund, or any portion thereof was drawn from the Treasury, in accordance with the resolution of October, 1852, and consequently, nothing showing that those funds have been reimbursed. In other words, there is nothing on the books of this office, showing that an account was opened between the State and the Trust Fund, in accordance with the resolution referred to.

My report, however, will show what I presume is the purpose of your resolution of yesterday to ascertain, that is, the amount of cash in the Treasury. You will see by my report, that on the first day of this month, there was due the

Sinking Fund.....	\$ 104,629 17
The Chickasaw School Fund.....	65,178 76
Internal Improvement Fund.....	24,256 70
Three Per Cent. Fund.....	10,280 08
	\$204,344 71

And that there was then in the Treasury, cash to
the amount of..... \$ 204,524 02

I say nothing of the Seminary Fund, the avails of which go, I believe, to the University. Some fifteen hundred dollars have been paid in within the last few days on this account, which I have laid aside, subject to the call of the officers of the University.

The Senate will thus perceive, that on the first day of this month, there was very little money in the Treasury, except what belonged to the Trust Funds,—that is the sum of \$179 31.

I will say, in conclusion, that there is no doubt that the Trust Funds were used by my predecessor in the redemption of Auditor's warrants, as he was authorized to do by the resolution of October, 1852, though, as I said before, the books do not show it. And there is just as little doubt that the amount thus used was reimbursed. This is obvious, from the fact, that there is in the Treasury, as above shown, a sufficient amount of cash on hand to pay those funds what is due them.

I have the honor to be, very respectfully,

Your obedient servant,

S. L. HUSSEY, Treas'r.

On motion of Mr. Johnston, the communication was laid on the table.

On motion of Mr. Steele, the joint resolution from the House of Representatives, in reference to the Chickasaw School Fund, and Trust Funds was taken up.

Mr. Webb moved to amend by striking out "Chickasaw Fund," and insert "Sinking Fund," which was adopted.

The following message was received from the House of Representatives by their Clerk, Mr. E. P. Russell :

MR. PRESIDENT—I am instructed to inform the Senate, that the Hall of the House of Representatives is now in readiness for the reception of the Senate, to the end that the two Houses proceed to the election of a United States Senator.

The House of Representatives have given leave to the introduction of bills of the following titles :

A bill to be entitled an act to increase the salaries of certain officers therein named.

A bill to be entitled an act in relation to landlord and tenant, in the city of Vicksburg.

A bill to be entitled an act to authorize the Judges of the Circuit Courts in this State, to adjourn the session of their said courts, in certain cases, to a time beyond the day limited by law.

A bill to be entitled an act to secure to the owners of slaves who may hereafter be executed, by sentence of law, full compensation for the same.

A bill to be entitled an act to amend an act entitled an act for the relief of B. F. Allen.

A bill to be entitled an act to repeal an act entitled an act to change the form of pleadings in the Circuit Courts of this State.

A bill to be entitled an act for the relief of Druscilla Smith.

A bill to be entitled an act to provide for the quieting of the land titles, and to remedy the loss of evidence of title caused by the destruction by fire, of the records of the Circuit and Probate Courts, and the records of deeds in the county of Hancock.

The Speaker of the House of Representatives has appointed the following committee, on the part of the House, as the Joint Standing committee on the Lunatic Asylum :

Meßsrs. Anderson, Rozell, Covington, Abbott, and Brown.

On motion of Mr. Adams, the Senate proceeded to the Hall of the House of Representatives, for the purpose of going into the election of a United States Senator.

The President having explained the object of the joint convention ;

On motion of Mr. McWillie, the vote was taken *viva voce*.

Mr. McWillie, of the Senate, nominated the Hon. A. G. Brown.

Mr. Shackelford, of the House, nominated the Hon. H. S. Foote.

Mr. Anderson, of the House, nominated the Hon. W. L. Sharkey.

Those Senators who voted for Mr. Brown, are,

Mr. President, Messrs. Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hemingway, Hough, Koger, McWillie, Monroe, Oliver, Pegues, Ramsay, Steele, Stuart, and Webb—19.

Representatives—Mr. Speaker, Messrs. Abbott, Austell, Autry, Bardin, Barksdale, Bonner, Boren, Breeland, Brown, Buckley, Burt, Calhoun, Catching, Chandler, Covington, Dean, Dickins, Downs, Elzy, Gilleland, Gordon, Hamer, Hight, Harper of Jefferson, Henderson, Henley, Hindman, Hodges, Jayne, Lewis, Liddell, Lott, Magee, Matthews, McLaurin, McQueen, Milam, Monet, Mull, Nabers, Newman, Rankin, Rawls, Rhodes of Jackson, Rhode of Smith, Rogers, Roy, Rozell, Sadler, Siddall, Shannon, Sharp, Smith of Scott, Thames, Ward, and White—57.

Those who voted for Mr. Foote, are,

Senators—Messrs. Cobb and Reynolds—2.

Representatives—Messrs. Aldridge, Beasley, Box, Dubuisson, Duckworth, Garner, Harper of Hinds, Helm, Holder, Luckett, Owen, Porter, Powe, Regan, Reeves, Shackelford, Smith of Sunflower, Strong, Taylor, and Wade—20.

Those who voted for Mr. Sharkey, are,

Senators—Messrs. Allen and Arthur—2.

Representatives—Messrs. Anderson, Bass, Burrus, Mitchell, and Phillips—5.

Mr. Adams of the Senate, and Messrs. Botters and Buck of the House, voted for Wm. A. Lake.

Mr. Johnston of the Senate, and Mr. Starke of the House, voted for A. K. McClung.

Mr. Nelson of the Senate, and Mr. Tarver of the House, voted for F. M. Rogers.

Mr. Chamberlain of the House, voted for John A. Quitman.

Mr. Wolff of the House, voted for John D. Freeman.

RECAPITULATION.

Mr. Brown.....	received.....	76 votes.
Foote.....	received.....	22 votes.
Sharkey.....	received.....	7 votes.
Lake.....	received.....	3 votes.
McClung.....	received.....	2 votes.
Rogers.....	received.....	2 votes.
Quitman.....	received.....	1 vote.
Freeman.....	received.....	1 vote.

Whole number of votes.....114

Necessary to a choice..... 58

The Hon. A. G. Brown having received a majority of all the votes cast, was declared by the President of the Senate, to be duly and constitutionally elected Senator in the Congress of the United

States, from the State of Mississippi, from the 4th day of March, 1853, for the term prescribed by the constitution of the United States.

The two Houses having accomplished the object of their joint assemblage, the Senate returned to their chamber.

On motion of Mr. Bennett, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 9th, 1854.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Lewen of the Episcopal church.

The Journal of Saturday was read and adopted.

Mr. Bennett presented a petition from Caleb A. Parker, of Hinds county.

On motion of Mr. Bennett, it was referred to the Committee on Claims.

Mr. Bennett presented a petition from sundry citizens of Polkville, in Smith county ; which was read.

On motion of Mr. Bennett, the petition was referred to the committee on Propositions and Grievances.

Mr. McWillie offered the following resolutions, which were read and 200 copies ordered to be printed :

Resolved, By the Legislature of the State of Mississippi, that we cordially approve of the administration of Franklin Pierce ; that we recognize in him a firm upholder of the union of the States, and a fearless defender of States Rights, as expounded and understood by the fathers of the Republic.

2nd. *Resolved*, That the policy of the President as exhibited in his message and executive appointments, in discountenancing all further slavery agitation, "in and out of Congress," meets our hearty approbation ; both on account of its consonance to his known antecedents and pledges before his election, and because we believe that the discussion of the exciting questions connected therewith, is eminently dangerous to the institution itself and destructive of the best interest of the country.

3d. That the appointment by the President, of Mississippi's favorite son, Col. Jefferson Davis, to a seat in the Cabinet, is a just cause of rejoicing to the people of the State ; that the President, in selecting him to preside over the War Department, whilst he exhibited a patriotic devotion to the interests of the whole nation in the choice of one possessing such eminent abilities, at the same time manifested a becoming deference to the voice of the people of the South, in making an integral portion of his administration that hero-statesman, who is no less distinguished for his chivalry on the field of battle, his wisdom in the Cabinet, and his eloquence in the

Senate, than for his patriotic devotion to the interests of every part of our common country.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT.—The House of Representatives have passed a bill with the following title :

A bill to be entitled an act for the relief of Druscilla Smith; which is herewith transmitted to the Senate.

Mr. Pope introduced the following resolutions, which, by the Constitutional rule, lie over one day.

Resolved, by the Legislature of the State of Mississippi, That the Governor be, and he is hereby authorized and instructed, to receive from the Government of the United States, the amount of money now standing to the credit of the State of Mississippi on the books of the Treasury Department of the United States, as the distributive share of the State of Mississippi, of the proceeds of the sales of the public lands, as divided among the several States and Territories, by act of Congress, approved September 4th, 1841.

Be it also Resolved, That said fund, when received, shall be set apart to aid in the erection of a suitable building for the accommodation of the BLIND, at such a place and such manner as the Legislature shall hereafter prescribe.

Be it further Resolved, That nothing contained in the above resolution shall be construed into an approval by this Legislature, of the policy or constitutionality of the act of distribution.

Mr. Oliver gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill to repeal the 10th section of the 7th article of general provisions of the Constitution.

Mr. Allen introduced the following resolution, which was adopted.

Resolved, That a committee of three be appointed to inquire into the expediency of altering the present law, requiring lands, which have been forfeited to the State, to be redeemed at the Auditor's office, and in lieu thereof to be redeemed from the Sheriffs of the several counties of the State, and that said committee be required to report at an early day by bill or otherwise.

The President appointed on the part of the Senate as a committee, Messrs. Allen, Cobb and Ellett.

Mr. Ellett introduced a bill of the following title, to-wit :

A bill to be entitled an act to authorize the Guardian of James McCaleb and Ann C. McCaleb, to sell property of said wards, which was read the first, second and third times, and passed.

Ordered that the bill stand as stated.

The following message was received from the House of Representatives by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have adopted the following joint resolution :

Resolved, the Senate concurring, That a committee of five, on

the part of the House, and — on the part of the Senate, be appointed to wait on His Excellency, John J. McRae, Governor elect, and inform him of his election, and to make suitable arrangements for his Inauguration, at such time as may suit his convenience, in which I am instructed to desire the concurrence of the Senate.

The committee appointed on the part of the House are, Messrs. Hindman, Ward, Harper of Jefferson, Starke and Anderson.

On motion of Mr. Webb, the joint resolution from the House of Representatives in relation to the appointing of a committee to wait on His Excellency, John J. McRae, and inform him of his election as Governor of the State of Mississippi, was concurred in.

The President appointed as said committee on the part of the Senate, Messrs. Steele, Reynolds and Hough.

Mr. Oliver called up the House bill of the following title :

A bill to be entitled an act for the relief of Druscilla Smith.

On motion of Mr. Oliver, the rule requiring bills to be read on three several days, was dispensed with, and the bill was read the first, second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title, to-wit :

A bill to be entitled an act to amend the Constitution of the State of Mississippi, which was read the first time.

On motion of Mr. Ellett, the bill was laid on the table, and 200 copies ordered to be printed.

Mr. Ellett gave notice that he would, on to-morrow, or some early day, ask leave of the Senate to introduce a bill with the following title, to-wit :

A bill to be entitled an act to increase the duties and salary of the Attorney-General of the State of Mississippi.

Mr. Hemingway gave notice that he would on to-morrow introduce a bill to declare the Yazoo Pass a navigable stream, and for the purpose of removing all obstructions to the free navigation of the same.

Mr. Koger introduced the following resolutions which were adopted, to-wit :

Resolved, That the Senate have heard with deep regret of the untimely death of Dr. F. W. Irby, member elect of the House of Representatives from the county of Noxubee ; and as a mark of respect for the deceased, the Senate will wear the usual badge of mourning for thirty days.

Resolved, That as a further mark of respect, the Senate do now adjourn till 10 o'clock to-morrow morning.

TUESDAY, JANUARY 10, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills with the following titles :

A bill to be entitled an act to prevent unnecessary expenses in settling up small estates in the Probate Courts of this State.

A bill to be entitled an act to authorize aliens to acquire and hold real estate in this State.

A bill to be entitled an act to regulate practice in the Probate Courts of this State.

A bill to be entitled an act for the better security of overseers, and for other purposes.

A bill to be entitled an act to amend the jury laws of this State.

A bill to be entitled an act to relinquish to the Government of the United States, title and jurisdiction over a lot of ground, as a site for the erection of a Light House at the mouth of the Pascagoula river.

The House of Representatives have passed a Senate bill with the following title :

A bill to be entitled an act to authorize the guardian of James McCaleb and Ann C. McCaleb to sell the property of said wards.

Also, a House bill, entitled an act to legalize the assessment rolls of Copiah county, and for other purposes.

Which are herewith transmitted to the Senate.

The House of Representatives have concurred in the Senate resolution, appointing a committee of seven on the part of the Senate, and — on the part of the House, to be the committee on the Chickasaw School Lands, and have filled the blank in said resolution with the number nine.

The committee on the part of the House, are, Messrs. Hodges, Box, Hamer, Matthews, Rozell, Bardin, Rodgers, Abbott and Dickens.

The Speaker of the House of Representatives, has signed an act for the relief of Drusilla Smith.

Which is herewith presented to the Senate for the signature of the President.

Mr. Heminway presented the petition of Thomas C. Miller, with a bill of the following title :

A bill to be entitled an act for the benefit of Thomas C. Miller, a minor, of Carroll county.

Which was read the first time.

Mr. Greer presented the memorial of Wm. Cary Crane, L. H. Milliken, D. E. Burns, C. S. McLoude, and Geo. Stokes,

Which was read and referred to the committee on Propositions and Grievances.

Mr. Arthur presented the petition of H. J. Harris;

Which was referred to the committee on Claims.

Mr. Webb, from the committee on Engrossed Bills made the following report :

MR. PRESIDENT—The committee on Engrossed Bills, have this day examined a bill of the following title :

A bill to be entitled an act to incorporate the town of Crawfordville, in the county of Lowndes, and for other purposes.

And have found the same correctly engrossed.

Mr. Pope, from the select committee to whom was referred the bill to increase the salary of the Chancellor of the middle district Chancery Court of the State of Mississippi, made the following report :

MR. PRESIDENT—The select committee of three, to whom was referred a bill to increase the salary of the Vice Chancellor of the middle district Chancery Court of the State of Mississippi, and for other purpose, beg leave to report that a majority of the committee recommend the passage of said bill.

On motion of Mr. Ellett, the bill was laid on the table by ayes and noes, as follows :

AYES—Messrs. Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hemingway, Hough, Koger, McWillie, Monroe, Pegues, Steele, Stuart, and Webb—16.

NAYS—Mr. President, Messrs. Adams, Arthur, Cobb, Johnston, Nelson, Oliver, Pope, Ramsay, and West—10.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill with the following title :

A bill to be entitled an act to increase the salary of the Governor of this State.

Which is herewith transmitted to the Senate.

Mr. Steele, from the committee appointed to wait on his Excellency, John J. McRae, Governor elect, and inform him of his election, and ascertain when it would be his pleasure to be inaugurated, made the following report :

MR. PRESIDENT—The joint select committee, appointed by the Senate to wait on the Governor elect and inform him of his election, and know of him at what time it would suit his convenience to be inaugurated; and also to make suitable arrangements for the inauguration, beg leave to report, that they have performed the duty assigned them, and that the Governor elect informed them that it will suit his convenience to be inaugurated on Tuesday the 10th January, inst., at 12 o'clock, m.

PROGRAMME.

The House of Representatives shall be prepared for the reception of the procession at 11½ o'clock, a. m.. The committee of arrangements shall repair to the Executive office, at 20 minutes before 12 o'clock, m., and there wait the announcement of the Sergeant-at-Arms, that the two Houses are convened and ready to receive the Governor elect. The procession shall then proceed to the Hall in the following order:

1st. The Governor elect and private Secretary, preceded by the Sergeant-at-Arms on the left.

2d. The committee of arrangements.

3d. Judges of the High Court and Chancellor.

4th. State officers and other distinguished individuals.

On arriving at the entrance of the bar of the House, the Sergeant-at-Arms shall announce the "Governor elect;" on which announcement, the President of the Senate and Speaker of the House shall proceed to conduct him to the clerk's desk. The Chief Justice shall sit on his right, and the other Judges and Chancellor shall sit on his left.

As soon as the Sergeant-at-Arms shall have made proclamation, the procession shall retire in the same order.

All of which is respectfully submitted,

R. G. STEELE,

Chairman of Com. on the part of Senate.

Mr. Ellett moved to take up House bill in relation to increasing the Governor's salary.

The ayes and noes being called for, it was decided in the affirmative, as follows:

AYES—Mr. President, Messrs. Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hemingway, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Steele, Stuart, and Webb—20.

NAYS—Messrs. Adams, Arthur, Cobb, Johnston, Pope, and West—6.

Mr. Bennett moved that the rule requiring bills to be read on three several days be suspended.

Which motion was decided in the negative, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Allen, Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hough, Koger, McWillie, Monroe, Oliver, Ramsay, Reynolds, Stuart, and Webb—18.

NAYS—Messrs. Adams, Arthur, Cobb, Hemingway, Johnston, Nelson, Pegues, Pope, Steele, and West—10.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled

Bills, have this day examined a bill originating in the Senate, of the following title :

An act to authorize the guardian of James McCaleb and Ann C. McCaleb, to sell the property of said wards, and find the same correctly enrolled.

On motion of Mr. Steele, the Senate took a recess.

The recess having expired, the Senate met.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—I am instructed by the House of Representatives, to inform the Senate, that the Hall of the House is in readiness for the reception of the Senate, for the purpose of proceeding to the inauguration of the Governor elect.

The House of Representatives have passed a bill with the following title :

An act entitled an act to legalize the assisment rolls of Carroll county.

In which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Webb, the Senate proceeded to the Hall of the House of Representatives, for the purpose of proceeding to the inauguration of the Governor elect.

The President of the Senate having explained the object of the convention, the Governor elect, accompanied by Chief Justice Smith, and the associate justices, Fisher and Handy, and the committee of arrangements of the Senate and House of Representatives, entered the Hall and took seats in front of the Speaker's chair.

His Excellency then arose and read the following inaugural address to the two Houses of the Legislature and an assemblage of citizens :

*To the Honorable the Senate and House of Representatives
of the State of Mississippi :*

FELLOW-CITIZENS:

One of the humblest of yourselves, you have exalted me to the high post of Chief Executive of the State. I thank you for this mark of your confidence, and hope I shall not prove unworthy of the trust you have confided to me. If my ability shall be equal to my intention—faithfully to execute it—you shall not be disappointed. In the presence of those of you here assembled, and of these Senators and Representatives of the people, I pledge you my best efforts in the service of the State.

It is the glory and the beauty of our institutions that changes of our rulers take place as quietly as the changes of the seasons. The going out of one and the coming in of another, disturbs not the public peace—and the same voice that welcomes one to power bids the other welcome to retirement. It is the potential will of

the people expressed through the forms of the organic law, to which all bow in patriotic submission.

The Executive head of the State is changed to-day, and the masses of the people are scarcely aware of the transition. The public business moves smoothly on—the public tranquility is undisturbed—the public mind receives no shock. The relations of the citizens with the State, in their business pursuits, are all harmonious, and contentment dwells with peace throughout the land. Happy! thrice happy country! whose present is bright, whose future is full of promise, whose destiny in her progress and prosperity must be glorious!

I have been borne, fellow-citizens, to this position by your free suffrages, upon whatever humble merit you may have supposed I possessed, and upon questions of great public magnitude involving principles and measures of deep and permanent interest to the State. First in importance of these, is the nationality of the great doctrine of State Rights, based upon the individuality and sovereignty of the several States, as co-equals in the Confederacy. Upon this depends the perpetuity and safety of the Union. Despotism in the liberal governments of the Old World, and centralism in ours, are the fearful dangers to be avoided. With us the co-equality of the States, recognised and preserved, is the sure guarantee against centralization. Co-equal rights in the Union, and the right of the States severally to judge for themselves of infractions of the Constitution, as well as of the mode and measure of redress, is the great distinguishing feature of our republican form of government; which, maintained in its purity, will make it perpetual, and consolidate the Union upon its proper basis forever. To nationalise this great principle is the work of patriotism; to sectionalize it is to destroy the best hopes of the Republic. The resolutions of 1798 embody this great principle as illustrating the true doctrine of State Rights, and the consolidation of the Federal Union, under the strict limitations of the Constitution. Recognizing the Federal government as one of delegated powers, limited by the strict letter of the grant, I am happy to know that these principles, openly avowed, have met with the approval of the sovereign people of the State in my elevation to the office of their Chief Magistrate. I shall continue to cherish and enforce them where I have the power, as the surest guarantees to the safety of our institutions.

The question between centralism and despotism on the one hand, and the people's right of self-government under institutions like ours on the other, has been made throughout most of the governments of the Old World, and in all it has proved unsuccessful. In ours alone it has been maintained. Revolution after revolution has been attempted in Ireland, to place her in a position towards the Government of Great Britain similar to that of the States to the American Union; but in all she has failed. In her last great

effort, she hoped to be successful, and when her people thought to go out with sword and plume to celebrate their great victory of freedom, her mighty men were stricken down by the tyrant hand of power, and sentenced, first to execution, and afterwards to exile in a distant land. Hungary has had her struggle, and has been crushed by the iron heel of Austrian despotism. Her great leader was compelled to flee his country, and take refuge for awhile with the Turkish Sultan; afterwards invited to our shores, he has made his appeal to our people, in strains of eloquence unsurpassed, for material aid, when he could gain nothing but sympathy for his down-trodden Father Land. Italy has had her struggle, and she, too, has failed; and but recently Kossuth and Massini, the great patriots of the Old World, were homeless in the Island of Great Britain, with scarcely the security of personal freedom. France has had her revolution—the monarchy was overthrown—republicanism for a day prevailed—the people were unable to maintain it, and Louis Napoleon, under the title of Emperor, now reigns as supremely over France, simply by the prestige of the name of his uncle, the great Napoleon, as does any monarch in Europe upon his throne. Had France, after the revolution, established her departments as independent sovereign States, united under a government of delegated powers, emanating from them as equals, under the limitations of a written constitution, she would have had a sure guarantee for the safety of her republican institutions. Paris would no longer have been France—the republic would not have passed into the empire, and she might have stood to day the representative in Europe of a government founded upon the great doctrine of State Rights, an example of our own, to lead she down-trodden and oppressed to the light of freedom burning in their midst, and make them happy and free under institutions founded upon the people's right of self-government in political communities, sovereign and independent, united as equals under the limitations of written constitutions. The individuality and sovereignty of the States in our government, and their co-equal rights in the confederacy, are the sure guarantees of the perpetuity of the Union, and the preservation of our republican liberty, which, so far as a can have the power, as Chief Executive of the State, *shall be*, by myself, and I feel assured in saying, *will be*, maintained in their purity by the present Chief Executive of the United States.

Closely allied to this great doctrine of State Rights, and next, if not equal in importance with it, is the principle of strict construction, involving the obligation of the people and their public servants, to maintain sacredly and inviolate the written constitutions under which they hold their corporate existence, and through which they exercise their sovereign powers. Our is a government founded on the will of the people, and its great democratic principle is, the people's right of self-government under the limitations of written constitutions made by themselves, to be strictly construed

by their agents in power. This is the great right principle which is at the foundation of our system, eternal, and bright shining as the everlasting stars. In maintenance of this, the question has again been decided by the people in the late election, that a supposed liability against the State, which is grossly misunderstood and misrepresented abroad, and which they had heretofore declared unjust, contracted in violation of the express provisions of their constitution, is not binding upon them in morals or law. They have reaffirmed upon this subject the deliberate judgment of the people in 1841, and the honor of the State now stands vindicated by her sovereign voice, in support of the great principle of strict adherence to the constitution, as the surest safeguard to liberty, and the only certain protection at all times against the invasion of their most sacred rights. Our constitutions, State and National, are the written charters of our freedom, and the security of our liberties depend upon the watchfulness of the people in preserving them inviolate.

“Religion, morality and knowledge, being necessary to good government, the preservation of liberty, and the happiness of mankind, schools, and the means of education shall forever be encouraged in this State.” This is the language of our constitution, and imposes an injunction upon all, especially those in official position, to promote the diffusion of knowledge among the people of the State. Education is the great lamp which lights up the pathway of freedom under institutions like ours, and it should be kept trimmed and burning, that the masses may follow it without difficulty or doubt. I have always been an advocate of a system of common schools, sustained by State aid, which should diffuse intelligence among the people, and bring knowledge within the reach of all. And I have never thought an appropriation for this purpose lost, when properly applied, though its effects might not be directly seen. The spark apparently going out, but falling upon some mind, in humble sphere, which otherwise would have remained obscure, may light it up to be one of the most brilliant in the nation. Whatever imparts light to the mind, is never lost, but exists to magnify intelligence here, and to increase it forever. Every interest of education—from the common school to the university—all have my most ardent wishes for their success. If the world were all blind, I would open their eyes to the glories of the sun; so if mind was all dark, I would light it up to the beauties of knowledge. There are but two great ideas worthy of life—God and liberty—they embrace all of value here—all that is important hereafter. But to appreciate these, man must be intelligent; to be intelligent, he must be educated; to be educated, the means must be provided, and this is the duty of the State.

Ours is peculiarly an agricultural State, and my encouragement will be given to all efforts to promote this branch of industry, and for the developement of agricultural science, so important to the

people of Mississippi as a planting community. In this connection, and as a means of developing the rich and varied resources of our State, I look with deep interest to the important works of internal improvement now progressing within her limits, as well as to others in contemplation; and I would favor all aid which might be given to them by the State, outside of direct taxation, or a liability upon her plighted faith.

A strict constructionist of the Federal Constitution, I am opposed to a United States bank, or to any corporate fiscal agent, for the management of the finances of the Government, believing the simple constitutional treasury the best agency of all others, for this purpose. I am opposed to a protective tariff, believing that duties should be laid strictly for revenue, making protection always the incident. I am opposed to a general system of internal improvement by the Federal Government, as corrupting in its tendencies; leading the government from the purity of its principles, and antagonistic to the true spirit of the Constitution, including in this opposition, what is termed the Pacific rail-road, as a government measure, to be built by direct appropriations of money out of the Federal Treasury, thereby excluding and over-riding individual enterprize by Government capital—but favoring this great work as one under the patronage of individual enterprize, aided and encouraged by the Government in such ways as aid may be legitimately and constitutionally given.

Upon all the subjects now referred to, including my endorsement of the present national administration, in the wisdom, purity and firmness of whose government, and strict fidelity to the Constitution, I have the highest confidence, my opinions were freely expressed before the people of the State, in the canvass for the high position which they have assigned me. I pledge to you, my fellow citizens, a faithful adherence to them in all my official acts.

Looking to the lights of experience, burning brightly upon the past, which throw upon the future the shadows which mark out on the one hand the dangers to be avoided, and illumine upon the other the pathway of duty, which may be safely followed; and relying in all things upon the guidance of that kind Providence, which blesses with its smiles, and approves with its judgment the upright and the just, and which has selected us as its chosen people to fulfill the great destiny of earth, I am now ready to take the oath prescribed by the Constitution, and enter upon the duties of my office.

JOHN J. McRAE,

January 10, 1854.

Chief Justice Cotesworth Pinckney Smith then administered the oath of office to the Governor elect, and the Sergeant-at-Arms then announced that his Excellency, John J. McRae, was duly

installed Governor and commander-in-chief of the army and navy of the State of Mississippi.

The President of the Senate having announced that the object of the convention was accomplished, the Senate withdrew to their Chamber.

On motion of Mr. McWillie, 1,500 copies of the inaugural address was ordered to be printed.

On motion of Mr. Pope, the resolutions offered by Mr. McWillie, in relation to President Pierce's administration, was called up and made the order of the day for Monday 16th of January.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to increase the duties and the salary of the Attorney General of the State of Mississippi.

Which was read the first time.

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning 10 o'clock A. M.

WEDNESDAY, JANUARY 11, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The President *pro tempore* of the Senate, on yielding the Chair, returned his thanks to the Senators for the kind indulgence manifested towards him during the time he has temporarily presided over the Senate.

The Hon. John J. Pettus, President of the Senate, then took the Chair as the presiding officer of this body—he having ceased to be the Governor of the State, by the inauguration of his Excellency, John J. McRae.

Mr. Webb offered the following resolution :

Resolved, That the thanks of the Senate be and are hereby tendered to the Hon. J. M. Acker, for the courteous, dignified and impartial manner in which he has presided over the deliberations of this body as President *pro. tem.*

Which was read and adopted.

Mr. Oliver introduced a bill to be entitled an act to repeal the 10th section of the 7th article of general provisions of the Constitution;

Which was read the first time.

The ayes and noes being called for, are as follows :

AYES.—Mr. President, Messrs. Acker, Banks, Bennett, Berry, Ellett, Graves, Greer, Hough, Hemingway, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Pope, Ramsay, Reynolds, Steele, Stewart and Webb—22.

NOES.—Messrs. Allen, Arthur, Cobb, Johnston and West.—5.

Mr. Koger introduced a bill to amend the Constitution, by hold-

ing elections on the first Monday in October, and convening the Legislature on the first Monday in November ;

Which was read the first time ;

And the ayes and noes being called for, are as follows :

AYES—Mr. President, Messrs. Allen, Banks, Bennett, Ellett, Graves, Greer, Hemingway, Hough, Johnston, Koger, McWillie, Monroe, Oliver, Pegues, Pope, Reynolds, Steele, Stuart, Webb and West—21.

NOES.—Messrs. Acker, Arthur, Cobb, Nelson and Ramsay—5.

Mr. Cobb called up engrossed bill to incorporate the town of Crawfordsville, in the county of Lowndes ;

Which was read the third time and passed.

Mr. West introduced a bill of the following title :

A bill to be entitled an act to change the time of electing county officers ;

Which was read the first and second time.

Mr. Berry moved to refer the bill to the Judiciary committee ; which was lost.

On motion of Mr. West, the bill was referred to a select committee of seven.

The President appointed on said committee, Messrs. West, Acker, Ellett, Reynolds, Arthur, Monroe and Graves.

Mr. Banks introduced a bill of the following title :

A bill to be entitled an act for the relief of the next of kin of Martin J. Malloy, deceased, late of Copiah county ;

Which was read the first time and referred to a select committee of three.

The President appointed on said committee, Messrs. Banks, Nelson and Cobb.

Mr. Hemingway introduced a bill of the following title :

A bill to be entitled an act to declare the Yazoo Pass a navigable stream ;

Which was read the first time.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two Houses proceed to the election of a Superintendent and Clerk of the Penitentiary, and State Librarian and Keeper of the Capitol.

The house of Representatives have passed bills with the following titles :

A bill to be entitled an act to change the time of holding the Holmes and Yazoo Circuit Courts.

A bill to be entitled an act in relation to the proceeds of the sale of estrays in the county of Jefferson.

A bill to be entitled an act for the relief of Lydia Parmelee, of Madison county.

A bill to be entitled an act in relation to landlord and tenant in the City of Vicksburg and the county of Warren.

A bill to be entitled an act to change the name of Ephra Deallman, and for other purposes.

A bill to be entitled an act to authorize the School Commissioners of Clark county to make and execute a good and valid lease to M. J. Sumrall, to certain lands therein named.

A bill to be entitled an act to re-establish the fees of certain officers so far as relates to Adams county.

A bill to be entitled an act to amend an act entitled an act to provide for the management of schools and school funds in the county of Copiah, approved 16th March, 1852 ;

In all of which I am instructed to desire the concurrence of the Senate.

The Speaker of the House of Representatives has signed an act to authorize the guardian of James McCaleb and Ann C. McCaleb to sell the property of said wards ;

Which is herewith presented to the Senate for the signature of the President.

Mr. Adams introduced a bill of the following title :

A bill to be entitled an act to authorize and empower the Chancellor and vice-Chancellor to take the acknowledgment of deeds, and for other purposes ;

Which was read the first time.

On motion of Mr. Greer, the Senate proceeded to the Hall of the House of Representatives for the purpose of electing a Superintendent and Clerk of the Penitentiary, and Librarian.

The President announced the object of the joint meeting of the two Houses.

On motion of Mr. Burt, the vote for Superintendent of the Penitentiary was taken by ballot.

The President appointed Messrs. McWillie of the Senate, and Starke of the House, tellers.

Mr. Stewart of the House, nominated W. C. Harrel, of Hinds county.

Mr. Pope of the Senate, nominated A. Henkle, of Leake county.

Mr. Acker of the Senate, nominated W. D. Robbins, of Pontotoc county.

Mr. Berry of the Senate, nominated T. C. Hindman, Sr., of Tippah county.

Mr. Strong of the House, nominated F. L. Swann, of Hinds county.

Mr. Shannon of the House, nominated E. Harris, of Jasper county.

Mr. Abbott of the House, nominated S. T. Sappington, of Lowndes county.

Mr. Jayne of the House, moved to reconsider the vote taken on the proposition to vote by ballot ; which motion was lost.

The Convention then proceeded to vote with the following result :

Mr. Harrel	received.....	9 votes
Henkle	received.....	17 votes
Harris	received.....	12 votes
Robbins	received.....	12 votes
Hindman	received.....	24 votes
Swann	received.....	47 votes
Jones	received.....	1 vote

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a second time, with the following result :

Mr. Harrel	received.....	4 votes
Hinkle	received.....	16 votes
Harris	received.....	5 votes
Robbins	received.....	11 votes
Hindman	received.....	27 votes
Swann	received.....	53 votes
Jones	received.....	6 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a third time with the following result :

Mr. Bennett of the Senate, nominated D. R. Jones, of Scott county.

Mr. Jones	received.....	5 votes
Henkle	received.....	13 votes
Harrel	received.....	1 vote
Harris	received.....	4 votes
Robbins	received.....	9 votes
Hindman	received.....	38 votes
Swann	received.....	52 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a fourth time, with the following result :

Mr. Jones	received.....	2 votes
Henkle	received.....	14 votes
Robbins	received.....	7 votes
Hindman	received.....	45 votes
Swann	received.....	54 votes

Mr. Shannon, of the House, withdrew the name of Mr. Harris. Mr. Webb, of the Senate, moved to take a recess until 3 o'clock, p. m., which was lost.

Mr. Bennett, of the Senate, withdrew the name of Mr. Jones. On motion of Mr. Buck, of the House, the Convention took a recess until 3 o'clock, p. m.

The recess having expired, the Convention was called to order by the President.

The Convention then proceeded to vote a fifth time, with the following result :

Mr. Henkle	received.....	18 votes
Robbins	received.....	6 votes
Hindman	received.....	47 votes
Swann	received.....	51 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a sixth time, with the following result :

Mr. Henkle.....	received.....	20 votes
Harrel	received.....	3 votes
Robbins	received.....	7 votes
Hindman	received.....	36 votes
Swann.....	received.....	54 votes
Cavanah	received.....	1 vote

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a seventh time, with the following result :

Mr. Austell, of the House, nominated W. B. Cavanah, of Lowndes county.

Mr. Henkle	received.....	20 votes
Harrel	received.....	1 vote
Hindman	received.....	34 votes
Swann.....	received.....	53 votes
Robbins	received.....	6 votes
Cavanah.....	received.....	7 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote an eighth time, with the following result :

Mr. Webb, of the Senate, withdrew the name of Mr. Robbins. Mr. Shannon, of the House, moved that the Convention adjourn *sine die*, it having failed to accomplish the object of its assemblage ;

Which was lost.

Mr. Liddell of the House, moved that the Convention take a recess until half-past seven o'clock, p. m. ;

Which was lost.

Mr. Bennett of the Senate, moved that the Convention take a recess until 9 o'clock this evening ;

Which was lost.

EIGHTH BALLOT.

Mr. Henkle received.....	14 votes
Hindman received.....	31 votes
Swann received.....	51 votes
Cavanah received.....	24 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a ninth time, with the following result :

Mr. Henkle received.....	8 votes
Hindman received.....	35 votes
Swann received.....	51 votes
Cavanah received.....	26 votes
Harrel ,.....received.....	1 vote

Neither candidate having received a majority of all the votes cast, the two Houses were proceeding to ballot a tenth time, when

On motion of **Mr. McWillie** of the Senate, the Convention adjourned, *sine die*.

The Senate then retired to the Senate Chamber.

On motion of **Mr. Koger**, the vote taken yesterday on the resolutions offered by **Mr. McWillie**, in relation to the administration of **President Pierce**, making them the order of the day for Monday, the 16th January, was reconsidered, and

On motion of **Mr. Koger**, the resolutions were made the special order of the day for to-morrow, at 11 o'clock.

On motion of **Mr. Pope**,

The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, JANUARY 12, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

The following message was received from the House of Representatives, through their clerk, **Mr. E. P. Russell**, to-wit :

MR. PRESIDENT—The House of Representatives have adopted the following joint resolutions :

Resolved, (the Senate concurring) That a joint select committee of seven, on the part of the House, and — on the part of the Senate, be appointed for the purpose of preparing and reporting a bill to re-district the State of Mississippi into five Congressional districts.

And have appointed as said committee on the part of the House, Messrs. Mull, Abbott, Hodges, Gilleland, Brown, Starke, and Shackelford.

Resolved, (the Senate concurring,) That the two Houses meet in the Representative Hall, on Thursday, the 12th instant, at 11 o'clock, a. m., for the purpose of electing a Superintendent and Clerk of the Penitentiary, and State Librarian, and Keeper of the Capitol.

In both of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills with the following titles :

A bill to be entitled an act supplemental to an act entitled an act to provide for the leasing of the Chickasaw School Land, approved Feb. 23, 1848.

A bill to be entitled an act to compel sheriffs to collect and pay over money.

A bill to be entitled an act for the relief of Stephen J. Allen, of Copiah county.

On motion of Mr. Ellett, the last message from the House of Representatives, was taken up.

On motion of Mr. Webb, the resolution of the House of Representatives, appointing a joint select committee of seven, on the part of the House and — on the part of the Senate, to lay off the State into five Congressional districts, was amended, by filling the blank in the resolution with the word "five."

On the further motion of M. Webb, the resolution as amended, was concurred in.

The President appointed, as said committee on the part of the Senate, Messrs. Pope, Cobb, Greer, Oliver and Stuart.

The joint resolution of the House of Representatives, in relation to the meeting of the two Houses in the Hall of the House, on Thursday the 12th inst., at 11 o'clock, a. m., for the purpose of electing a Superintendent and Clerk of the Penitentiary and State Librarian, and Keeper of the Capitol, was taken up.

Mr. Adams moved to amend, by striking out "Thursday the 12th inst., at 11 o'clock, a. m.," and insert "Friday, the 13th inst., at half past 10 o'clock." And also, amend, by adding, "Reporter of the High Court of Errors and Appeals."

Mr. West offered the following amendment :

Amend, by adding, "that the joint convention shall continue in session from day to day, until the object of said convention shall have been accomplished, unless said convention be dissolved by a motion to adjourn *sine die*." Which amendment was lost.

The resolution, as amended by Mr. Adams, was then adopted.

Mr. Stuart, from the joint standing committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor for his signature and approval, the following bills :

An act to authorize the guardian of James McCaleb and Ann C. McCaleb, to sell the property of said wards ;

Originating in the Senate.

An act for the relief of Drusilla Smith ;

Originating in the House of Representatives.

Mr. Stuart presented a memorial from J. F. Foute, with a bill of the following title :

A bill to be entitled an act to allow and confirm the provisions of the last will and testament of Thomas Y. Grinstead, deceased, late of Lawrence county, for the benefit of slave Mary and her children.

Which was read the first time.

On motion of Mr. Stuart, the rule requiring bills to be read on three several days, was suspended, the bill read a second time by its title, and referred to a select committee of five.

The President appointed on said committee, Messrs. Stuart, Greer, Steele, Nelson and Pegues.

The President of the Senate laid before the Senate the following report of the Trustees of the University of Mississippi ; which was read :

To the Senate and House of Representatives

of the State of Mississippi :

GENTLEMEN :—

As Trustees of the University of Mississippi, we think it our duty to address the Legislature of the State. It appears to us that there is propriety in so doing ; for, although the Institution has been endowed by the whole nation, this bounty was conferred for the benefit of the people of the State, has been increased somewhat by the State Legislature, which has also conferred corporate faculties upon the University, and has encouraged and fostered it from time to time by favorable legislation. Whether, therefore, your honorable body has, or has not, strictly speaking, visatorial power over the University, it is emphatically the institution of the people. You, gentlemen, are the representatives of the people, and are supposed to speak their will ; and we have thought it appropriate, through you, to communicate to the people, the progress and present condition of the University—to enquire into its adaptation—to effectuate the designs of its foundation—and in what is deficient in this respect, and to make an exhibition of its wants, and the extent of its requirements, in order to supply those wants.

The public spirit that originally endowed the University was sufficiently munificent to answer all the ends of such an establish-

ment. The public domain which was given to the State by the Nation for this purpose, was large enough, and valuable enough, to have afforded opportunity for instruction in most, if not all of the branches of education.

But your honorable body is aware of the unfortunate—we might say perhaps disastrous manner—in which this fund was managed, long before it ever passed into the control of the Trustees of the University, and how, in consequence, the Institution, instead of beginning its career as its founders had a right to expect—a bountiful dispenser of knowledge in all its various departments—struggled into existence, crippled and imperfect, and has never been enabled, even yet, to assume the proportions corresponding with its name, and belonging to an University of learning.

Nevertheless, under great disadvantages, its progress has been encouraging and steady. The number of its students has been slowly but constantly increasing. It is now 140. They have been generally orderly in their deportment and persevering in their application to their studies, and some who have already been graduated at the school—unless they disappoint the expectation which their youthful promise has excited—will hereafter reflect upon their *Alma Mater*, a renown more than commensurate with the benefits they receive from her.

The professional chairs, from four, now number eight. The monetary affairs of the University, from a state of inadequacy, extremely discouraging when the school begun its operations, is now sufficient to meet the yearly expenditures of the board.

The library is increased to 3,000 volumes. Additional buildings now adorn the grounds, and serve to carry out the beautiful design of the Architect.

A Cabinet of minerals is the course of collection and arrangement, and a Philosophical Apparatus—simple, but of extraordinary beauty—has been placed before the chair of the Professor of Physics, since the last communication of the board with the Legislature.

Every thing indicates the steady progress and the ultimate prosperity of the University of Mississippi.

But there is one great want which the University seriously feels. The circle of the moral sciences, so far from being complete there, is scarcely begun. Rhetoric, Metaphysics, Political Economy, Moral Philosophy, Logic—the last of doubtful utility perhaps—may all be thoroughly taught and well understood, but they do not prepare a man to begin the great business of life.

Our graduated young men often aspire to act in the councils of their country; and history and observation both teach them to look to the Bar as the place of preparation and of trial, to vindicate their fitness for the halls of legislation. It is well known that for a period of a thousand years the Bar has been the great road to the dignities, the titles, the places and the power of the politician, where-soever the common law of England has been enforced. The Uni-

versity greatly needs a Professorship of Law. But not of law alone, in the opinion of the undersigned. The philosophy of government should be taught together with it, and history, *which is* philosophy teaching by example.

Instruction in the science of government, we think of high importance to Southern youth—to youth everywhere, in a Republic, but especially to the youth of our country. We live in a confederacy of States. The political relations of the States to each other are looked at in somewhat different lights, according to the geographical points of view. Government is taught as a science in some of the States, but in few of the Southern States, if in any of them. Our ambitious youth go to the East for instruction in this department; for it is to be found there alone. Such a school, may or may not be, antagonistic in its principles to Southern views of the right philosophy of government, but we feel assured that a Southern University of learning could never disseminate views of society and government, which would prove prejudicial to Southern interests.

Besides, political ethics, a right understanding and a full appreciation of political morality, is of the last importance in every Republic. A youth coming from the walls of the University with enlarged and fixed principles of political justice—with elevated notions of the use, the scope and the design of government—would not be apt to sink into a factionist, or to merge the philosophic statesman in the urbulent demagogue.

To instruction in law and government, we would superadd (as we have said) instruction in history and international law; and we think a single professor would be adequate to discharge the combined duties that are here indicated.

But it would require no ordinary man. Such a man as would fully suit the place, would be of more difficult selection than any other professor in the University. His character, his acquirements, even his place of residence and of education, would have to be considered. But it is in the power of compensation to procure such a man, we suppose, and we respectfully ask the Legislature to aid us in raising this compensation.

The annual excess of our revenue over our current expenditures is barely sufficient to keep the University in fitting repair. Even if there was *then* any excess, it would be proper to apply it to the erection of additional buildings.

It is apparent from the Report of the Commissioner of the Seminary Fund (now before you,) that but little is in future to be expected from that source. If all the lands now belonging to this fund were sold, even at present prices, and its dues were all collected, the annual interest from the whole of it would amount to about only fifteen hundred dollars.

With such tuition fees as a Law professor, well known to be qualified for his duties, might command, and a payment annually of two

thousand dollars as a fixed salary, we think it probable that the scheme we have developed might be carried into effect.

Having, therefore, stated the matter for the consideration of your honorable body, we pray the grant of an appropriation in conformity with the views above set forth.

J. THOMPSON,

President of the Board of Trustees

of the University of Mississippi.

On motion of Mr. Cobb, the report was referred to a select committee of five.

The President appointed, on said committee, Messrs. Cobb, Mc-Willie, Webb, Ellett, and Reynolds.

On motion of Mr. Pegues, 1,500 copies of the report was ordered to be printed.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to authorize Thomas Whaley to sell certain property of Wilhelmina Savalle, Julia Savalle, Louis Savalle, and Emma Savalle, minors;

A bill to be entitled an act to make Eliza Robb, Ann House, and John F. House, jr., co-heirs of Delilah Houset.

A bill to be entitled an act to authorize the sheriff of Hancock county to use the jail in the town of Shieldsborough, as the county jail of said county;

A bill to be entitled an act for the relief of Yazoo county;

In which I am instructed to desire the concurrence of the Senate.

Mr. Koger presented the petition of sundry citizens of Noxubee county, with a bill of the following title:

A bill to be entitled an act to prohibit the circulation of bank bills, or certificates of deposite, under the denomination of twenty dollars.

Which was read the first and second times, and referred to the committee on Banks and Currency.

Mr. Arthur presented the petitions of S. L. George, and Richards Barnett;

Which were referred to the committee on Claims.

Mr. Arthur gave notice that on to-morrow he would introduce a bill of the following title:

A bill to be entitled an act to incorporate the Vicksburg Gas Light Company.

Mr. Bennett introduced a bill of the following title:

A bill to be entitled an act for the relief of Thomas S. N. King.

Which was read the first and second times.

Mr. Bennett moved to suspend the rule, that the bill might be read a third time, and put upon its passage; which was lost.

Mr. McWillie called up the resolutions in relation to the administration of President Pierce ;

Which were made the special order of the day for Thursday the 12th January.

Mr. Cobb offered the following amendments :

Amend, by adding to the first resolution :

"And further, that the inaugural address of President Pierce, in its entire declarations and sentiments, meets with our hearty approval and sanction."

Amend by adding to the last resolution :

"It being especially understood that the action of the late democratic caucus, and of this Legislature, in choosing and electing the Hon. A.G. Brown for U.S. Senator, over the said Col. Jefferson Davis, is not to be construed as admitting that said Brown is the 'favorite son,' either of the democracy or of Mississippi."

Mr. McWillie moved to lay the amendment on the table;

And a division being called for the amendment to the first resolution, was laid on the table, by ayes and noes, as follows :

YEAS.—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Graves, Greer, Hough, Johnston, Koger, McWillie, Monroe, Oliver, Pegues, Ramsay, Steele, Stuart, and Webb—18.

NAYS.—Messrs. Adams, Arthur, Cobb, Hemingway, Nelson, Pope, Reynolds, and West—8.

The question was then taken on laying the second amendment on the table, and decided in the affirmative, by ayes and noes as follows :

AYES—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hemingway, Hough, Johnston, Koger, McWillie, Monroe, Oliver, Pegues, Ramsay, Steele, Stuart, and Webb—21.

NAYS—Messrs. Adams, Arthur, Cobb, Pope, Reynolds, and West—6.

Mr. Adams offered the following amendment :

Amend after word "appointment," in 2d resolution, by inserting,

"Except in the removal of Collector Bronson, who is known as a liberal statesman, in his views on Southern rights; and the appointment of a free soiler in his place, and in other free and abolition appointments in New York, and at the North."

On motion of Mr. McWillie, the amendment was laid upon the table, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hough, Johnston, Koger, McWillie, Monroe, Oliver, Pegues, Pope, Ramsay, Steele, Stuart, and Webb—21.

NAYS—Messrs. Adams, Arthur, Cobb, Nelson, Reynolds, and West—7.

Mr. Johnston offered the following amendment :

In the first line after the word "and," in the second resolution,

strike out the words "Executive appointments," and insert "inaugural address."

On motion of Mr. McWillie, the amendment was laid on the table, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Graves, Greer, Hough, Koger, McWillie, Monroe, Oliver, Pegues, Pope, Ramsay, Steele, Stuart, and Webb—19.

NAYS—Messrs. Adams, Arthur, Cobb, Johnston, Nelson, Reynolds, and West—7.

Mr. McWillie called for the previous question, and the resolutions were then adopted, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Acker, Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hough, Koger, McWillie, Monroe, Oliver, Pegues, Pope, Ramsay, Steele, Stuart, and Webb—20.

NAYS—Messrs. Adams, Arthur, Cobb, Johnston, Nelson, Reynolds, and West—7.

The following message was received from his Excellency the Governor, by his secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day signed a bill with the following title :

An act to authorize the guardian of James McCaleb and Ann C. McCaleb to sell the property of said wards.

On motion of Mr. Johnston, Mr. Arthur was added to the committee on Accounts.

Mr. Reynolds introduced a bill of the following title :

A bill to be entitled an act to grant the right of way to the Memphis and Charleston Railroad Company, and for other purposes.

Which was read the first time.

On motion of Mr. Reynolds,

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 13, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Adams presented a petition from A. B. McGowen, and others, accompanied with a bill for the relief of Allen B. McGowen;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

Mr. Adams moved to suspend the rule ; which motion was lost.

Mr. Adams presented a petition from sundry citizens of Clinton, Hinds county, accompanied with a bill to be entitled an act for the benefit of Mississippi College;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days was suspended, and the bill read a second time by its title and referred to a select committee of three.

The President appointed on said committee, Messrs. Adams, Arthur and Webb.

Mr. West presented a petition from sundry citizens of Holmes county, which was read and referred to a select committee of five.

The President appointed on said committee, Messrs. West, Johnston, Bennett, Hough and Hemingway.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have concurred in the amendments made by the Senate to the resolution of the House, in relation to the election of Superintendent and Clerk of the Penitentiary, and State Librarian.

The House of Representatives have passed a bill to be entitled an act to provide for a special term of the Circuit Court of Washington county;

In which I am instructed to desire the concurrence of the Senate.

I am also instructed to inform the Senate that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two Houses proceed to the election of a Superintendent and Clerk of the Penitentiary, and State Librarian, and Reporter of the High Court of Errors and Appeals.

On motion of Mr. Greer, the Senate proceeded to the Hall of the House of Representatives for the purpose of electing a Superintendent and Clerk of the Penitentiary, and State Librarian, and Reporter of the High Court of Errors and Appeals.

The President announced the object of the joint meeting of the two Houses.

Mr. Pegues of the Senate moved that the vote be taken *viva voce*.

Mr. Shackelford, of the House moved to amend by striking out *viva voce*, and insert "by ballot," which, on motion was adopted.

On motion of Mr. Shackelford of the House, the motion was adopted as amended.

The President appointed Messrs. Greer, of the Senate, and Shackelford, of the House, as tellers.

Mr. Berry of the Senate, nominated T. C. Hindman, Sr., of Tippah county.

Mr. Stewart of the House, nominated W. C. Harrell, of Hinds county.

Mr. Pope of the Senate, nominated A. Henkle, of Leake county.

Mr. Ellett, of the Senate, nominated W. B. Cavanah, of Lowndes county.

Mr. Hight, of the House, nominated F. L. Swann, of Hinds county.

The Convention then proceeded to vote with the following result :

Mr. Harrel	received.....	4 votes
Henkle	received.....	19 votes
Cavanah	received.....	9 votes
Swann	received.....	54 votes
Hindman	received.....	32 votes
Lemly	received.....	2 votes

Neither candidate having received a majority of all the votes cast, the Convention proceeded to vote a second time, with the following result :

Mr. Harrel	received.....	3 votes
Henkle	received.....	12 votes
Cavanah	received.....	4 votes
Swann	received.....	56 votes
Hindman	received.....	39 votes
Lemly	received.....	3 votes
Russell	received.....	4 votes

Neither candidate having received a majority of all the votes cast,

Mr. Bennett of the Senate, nominated W. Kirkland, of Rankin county.

Mr. Pope, of the Senate, withdrew the name of Mr. Henkle.

The Convention then proceeded to vote a third time with the following result :

Mr. Harrel	received.....	1 vote
Henkle	received.....	1 vote
Cavanah	received.....	1 vote
Swann	received.....	57 votes
Hindman	received.....	34 votes
Lemly	received.....	
Kirkland	received.....	11 votes
Harris	received.....	2 votes
Russell	received.....	14 votes

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a fourth time, with the following result :

Mr. Harrell.....	received.....	1 vote
Russell.....	received.....	35 votes
Hindman.....	received.....	26 votes
Swann.....	received.....	58 votes

120

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a fifth time.

Mr. Bennett, of the Senate, withdrew the name of Mr. Kirkland.

Mr. Liddell, of the House, moved to reconsider the motion to vote by ballot, which was lost.

Mr. Boren, of the House, nominated Mr. E. P. Russell, of Hinds county, for Keeper of the Penitentiary.

On the fifth ballot,

Mr. Russell.....	received.....	48 votes
Hindman.....	received.....	17 votes
Swann.....	received.....	56 votes

121

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a sixth time with the following result :

Mr. Russell.....	received.....	55 votes
Hindman.....	received.....	11 votes
Swann.....	received.....	54 votes

120

A motion was then made to take a recess, which was lost.

Mr. Hindman of the House withdrew the name of Mr. Hindman.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to vote a seventh time, with the following result :

Mr. Russell.....	received.....	64 votes
Swann.....	received.....	52 votes
Henkle.....	received.....	1 vote
Hindman.....	received.....	1 vote

118

Mr. Russell having received a majority of all the votes cast, the President announced that Mr. Russell was duly elected Superintendent of the Penitentiary, for the term prescribed by law.

On motion of Mr. Ellett, of the Senate, the Convention took a recess until 3 o'clock, p. m., this evening.

3 O'CLOCK, P. M.

The recess having expired, the Convention resumed its session, and proceeded to the election of a Clerk of the Penitentiary.

On motion of Mr. Mull, of the House, the vote for Clerk of the Penitentiary be taken *viva voce*, which was adopted.

Mr. Hodges of the House nominated D. N. Barrows, of Hinds county.

Mr. Allen of the Senate nominated H. H. Lindsey, of Hinds county.

Mr. Burt of the House nominated D. C. Thompson, of Lowndes county.

Mr. Botters of the House nominated J. J. Doty, of Holmes county.

The Convention then proceeded to take the vote, *viva voce*, with the following result :

Those Senators voting for D. N. Barrows, are : Mr. President, Messrs. Banks, Beene, Bennett, Berry, Ellett, Graves, Greer, Hough, McWillie, Monroe, Nelson, Pegues, Pope, Ramsey, Reynolds, Steel, Stuart and Webb—19.

Those Senators voting for Mr. Thompson, are :

Messrs. Acker, Cobb, Hemingway, Koger and Oliver—5.

Those Senators voting for Mr. Lindsey, are :

Messrs. Adams, Allen, Arthur and Johnston—4.

Those Senators voting for Mr. J. J. Doty, are :

Mr. West—1.

Those Representatives voting for Mr. D. N. Barrows, are :

Mr. Speaker, Messrs. Abbott, Autry, Austell, Bardin, Barksdale, Bonner, Boren, Breeland, Brown, Chandler, Covington, Dean, Dickins, Downs, Duckworth, Ellzy, Garrett, Gordon, Hamer, Height, Harper of Jefferson, Henderson, Hindman, Hodges, Jayne, Lewis, Lott, McLauren, McQueen, Mull, Monet, Newman, Owen, Rankin, Rawls, Rhode of Smith, Rogers, Rozell, Siddall, Shannon, Taylor, Thomas, Ward and Wolff—45.

Those Representatives voting for Mr. Lindsey are : Messrs. Aldridge, Anderson, Bass, Beasley, Box, Buck, Burrus, Dubuisson, Griffin, Harper of Hinds, Helm, Mitchell, Regan, Rives, Shackelford, Strong and Swearingen—17.

Those Representatives voting for Mr. Thompson, are :

Messrs. Burt, Calhoun, Catchings, Holder, Luckett, Milam, Nabers, Powe, Saddler, Sharp, Tarver, Wade and White—14.

Those Representatives voting for Mr. Doty, are :

Messrs. Botters, Buckley, Garner, Gilleland, Phillips, Porter, Roy, Smith of Sunflower and Wynn—9.

The total vote of the Convention was as follows :

Mr. D. N. Barrows.....received.....	64 votes
H. H. Lindsey.....received.....	22 votes
D. C. Thompson received.....	18 votes
J. J. Doty.....received.....	10 votes
	114 votes

Mr. Barrows having received a majority of all the votes cast, the President announced that Mr. Barrows was duly elected Clerk of the Penitentiary, for the term prescribed by law.

The Convention then proceeded to the election of Librarian.

Mr. Garrett of the House, nominated James R. McDonald, of Kemper county.

On motion of Mr. Greer, Mr. McDonald was unanimously elected Librarian and Keeper of the Capitol for the term prescribed by law.

The convention then proceeded to the election of Reporter of the High Court of Errors and Appeals.

On motion of Mr. Buck, of the House, the vote was taken by ballot.

Mr. Ellett, of the Senate, nominated Mr. T. J. Wharton, of Hinds county.

Mr. Dickins, of the House, nominated Mr. J. F. Cushman, of Lafayette county.

Mr. Dean, of the House, nominated Mr. W. F. Stearns, of Marshall county.

Mr. Helm, of the House, nominated Mr. J. Z. George, of Carroll county.

The President appointed as tellers: Mr. Webb, of the Senate, and Mr. Anderson, of the House.

The Convention then proceeded to vote, with the following result:

Mr. Wharton received.....	23 votes
Stearns.....received.....	14 votes
Cushman.....received.....	33 votes
George.....received.....	42 votes
Muggins received.....	1 vote

Neither candidate having received a majority of all the votes cast, the Convention proceeded to vote a second time with the following result:

Mr. Wharton.....received.....	20 votes
Stearns received.....	11 votes
Cushman received.....	29 votes
George.....received.....	55 votes
Muggins.....received.....	2 votes

Neither candidate having received a majority of all the votes cast, the convention proceeded to vote a third time, with the following result :

Mr. Dean, of the House, withdrew thy name of Mr. Stearns.

Mr. Wharton.....received.....	16 votes
Cushman.....received.....	31 votes
George.....received.....	66 votes
Muggins.....received.....	1 vote
Tippah.....received.....	1 vote

The President announced that inasmuch as Mr. George had received a majority of all the votes cast, he was duly elected Reporter for the term prescribed by law.

The Convention having accomplished the object of its assemblage, the Senate returned to the Senate Chamber.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act for the relief of Yazoo county;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read a second time by its title ; on his further motion, the bill was read a third time by title and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Rail Road Company, in the State of Mississippi, and for other purposes;

Which was read first time by title, and laid on the table, and 209 copies ordered to be printed.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to authorize the Sheriff of Hancock county to use the jail in the town of Shieldsborough, as a county jail of said county;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read a second time by title ;

On his further motion, the rule was suspended, and the bill read a third time, and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Reynolds, 200 copies of the bill to be entitled an act to grant the right of way to the Memphis and Charleston Rail Road Company, was ordered to be printed.

Mr. Banks, from a select committee, made the following report :

MR. PRESIDENT.—The select committee to whom was referred a bill for the relief of the nearest of kin of Martin J. Malloy, deceased, beg leave to report a substitute and recommend its passage.

Which report was received and agreed to, and the bill read the first time.

On motion of Mr. Banks, the rule was suspended, and the bill read a second time by title; on his further motion, the rule was suspended, and the bill read a third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker gave notice that he would, on to-morrow, or some early day, ask leave to introduce bills of the following titles:

A bill to be entitled an act for the benefit of insolvent debtors.

A bill to be entitled an act to authorize executors and administrators to make advances to legatees and distributees, during the course of administration and before final settlement.

On motion of Mr. Hemingway,

The Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY, JANUARY 14, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Burns.

The journal of yesterday was read.

The following message was received from the House of Representatives by their Clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed,

A bill to be entitled an act to change the time of holding the Probate Court of Holmes county; also,

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, now in session, praying for a grant of public lands to the Mobile and New Orleans Railroad Company.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled an act to remove the disabilities of minors, in certain cases.

A bill to be entitled an act to amend an act entitled an act concerning conveyances, approved June 13, 1822.

Mr. Webb asked leave of absence for Mr. Graves, until Monday next, which was granted.

Mr. Arthur presented a petition from the mayor and council of the city of Vicksburg, accompanied with a bill to be entitled

An act to incorporate the Vicksburg Gas Light Comprny.

Which was read the first time.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title:

On the motion of Mr. Arthur, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Adams presented a petition from John T. Hull, which was referred to the committee on Claims.

Mr. Nelson presented a petition from sundry citizens of Pike county, which was referred to a select committee of three.

The President appointed, on said committee, Messrs. Nelson, Monroe and Stuart.

Mr. Johnston called up the House bill of the following title :

A bill to be entitled an act to provide for a special term of the Circuit Court of Washington county;

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and referred to the Judiciary committee.

Mr. Johnston called up the House bill of the following title :

A bill to be entitled an act to change the time of holding the Holmes and Yazoo Circuit Courts;

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

On the further motion of Mr. Johnston, the rule was suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cobb called up the House bill of the following title :

A bill to be entitled an act to legalize the assessment rolls of Copiah county, and for other purposes;

Which was read the first time.

Mr. Bennett called up the Senate bill of the following title :

A bill to be entitled an act for the relief of Thomas S. N. King;

Which was read a second time.

On motion of Mr. Adams, the bill was referred to a select committee of three.

The President appointed on said committee, Messrs. Adams, Farrar, and Bennett.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act for the benefit of insolvent debtors;

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and referred to the Judiciary committee.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to authorize executors and administrators to make advances to legatees and distributees, during the course of administration, and before final settlement.

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and referred to the Judiciary committee.

On motion of Mr. Adams, the orders of the day were taken up.

A bill to be entitled an act for the benefit of Thomas C. Miller, a minor, of Carroll county ;

Was read a second time.

And, on motion of Mr. Adams, the bill was laid on the table.

A bill for the relief of Allen B. McGowen,

Was read a second time ; and,

On motion of Mr. Adams, was laid on the table.

A bill to amend the Constitution, by holding elections on the 1st Monday in October, and for convening the Legislature on the first Monday in November;

Was read a second time and referred to the Judiciary committee.

Mr. West offered the following joint resolution :

Resolved, (the House concurring.) That a committee of five, on the part of the Senate, and — on the part of the House, be appointed to report for the consideration of the Legislature, by way of amendment, such alterations in the present Constitution as they may deem expedient and wise, or to report a bill calling a Convention to revise said Constitution.

The President appointed as said committee, Messrs. West, Koger, Oliver, Ellett, and Alcorn.

Mr. Beene moved to suspend the orders of the day, to make a report ;

Which was adopted.

Mr. Beene, from the Judiciary committee, to whom was referred, a bill to be entitled an act to provide for a special term of the Circuit Court of Washington county, made the following report :

MR. PRESIDENT—The committee on the Judiciary have had under consideration,

A bill to be entitled an act to provide for a special term of the Circuit Court of Washington county ;

And recommend the adoption of the amendment herewith submitted.

Which was received and agreed to.

Mr. Beene moved that the additional section offered by the Judiciary committee, be adopted.

Which motion was carried.

On motion of Mr. Beene, the rule requiring bills to be read on three several days, was suspended, and the bill as amended, was read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate resumed the orders of the day.

A bill to be entitled an act to authorize and empower the Chancellor to take the acknowledgement of deeds, and for other purposes;

Was read a second time ; and,

On motion of Mr. Adams, the rule requiring bills to be read on

three several days, was suspended, and the bill read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to increase the duties and salaries of the Attorney General of the State of Mississippi;

Was read the first time.

On motion of Mr. Ellett, the bill was laid on the table.

A bill to be entitled an act to declare the Yazoo Pass a navigable stream;

Was read a second time.

And, on motion of Mr. Hemingway, the bill was laid on the table.

A bill to be entitled an act to repeal the 10th section of the 7th article of general provisions of the constitution;

Was read the first time.

And, on motion of Mr. Adams, the bill was laid on the table.

The following message was received from his Excellency the Governor, by G. S. McMillan, his private secretary :

MR. PRESIDENT—I am instructed by his Excellency the Governor to transmit to the Senate the following message, in relation to the Lunatic Asylum :

EXECUTIVE CHAMBER,
Jackson, Jan. 14, 1854. }

To the Senate and House of Representatives :

I have the honor to invite the attention of the two Houses to the report of the Commissioners of the Lunatic Asylum, with the accompanying documents, placed by the Commissioners, in the hands of the Executive, to be presented to the Legislature, and recommend that the investigation be made into the actual condition and progress of the work and buildings of the asylum, and that such appropriations shall be made for its early completion, as in the judgment of the Legislature shall be deemed necessary.

JOHN J. McRAE.

Which was read.

To the Honorable the Senate,

and House of Representatives of the

Legislature of the State of Mississippi :

In compliance with the requirement of the laws upon the subject, the undersigned, Commissioners of the State Lunatic Asylum, respectfully beg leave to report to your honorable bodies, the progress of the work, amounts received and expended, and present condition of the building in course of erection.

By the act of 1852, the Commissioners were required to advertise all contracts for sixty days, and let them out to the lowest bid-

ders, taking bond and security from the contractors for the performance of the work. Some time was required for the Architect to make out the necessary specifications. As soon as these were obtained, we advertised for proposals for the time specified, and on the 31st day of May, 1852, let out the contracts to the lowest bidders. See Appendix A, at the end of this report.

Bonds with security were taken from each of the contractors for the faithful performance of the work, which were deposited with the Auditor of Public Accounts, where they now remain.

The contractors proceeded with the work as well as could be expected, with the exception of one, until the epidemic, which ravaged our country during the past summer and fall, made its appearance in our midst. This necessarily suspended, and has greatly retarded the work, thereby preventing us from having the building completed by the meeting of the present Legislature, as we had anticipated.

In addition to this, one of our contractors, Mr. Charles Dudley, the contractor for the carpenter's work, had the misfortune to have one of his shops consumed by fire, and with it some two hundred doors, and other work, which were nearly completed, which were made for the Asylum, besides some lumber which had been purchased by the Commissioners.

The loss sustained by him and the Commissioners, was very considerable, in addition to the delay which it has occasioned.

Notwithstanding these unexpected and unfavorable circumstances, we have the pleasure of reporting the building as now nearly ready for use. The entire brick-work has been completed, the walls are up and roofed, in the most substantial manner with slate. The walls and ceilings of both wings have been plastered, except a very small portion, which could not be done on account of the space being occupied with the machinery employed in preparing the heating apparatus. The carpenter's work of both wings, is also nearly completed.

The painting has also advanced with the carpenter's work. The gas pipes and the pipes for heating have all been put up, and the apparatus for generating gas and steam are nearly completed.

The plumbing has all been completed for the wings, and the outside plastering, or stuccoing, for the east wing has also been completed.

Owing to loss of lumber for flooring, by Dudley's fire, and other causes, beyond our control, the center building is not so far advanced. But the work is progressing rapidly, and we hope, and expect, that the building will be ready for the reception of patients by the first of May next.

Accompanying this Report, we furnish a detailed statement and account of all sums of money received, and amounts expended, from which it will be seen, that we received from the old Board of Commissioners, \$197 55 ; and from the State, under the act of

1852, \$75,000, making in all, \$75,197 55; and that we have expended of this sum, \$60,769 26, leaving a balance in hand and unexpended, of \$14,428 29.

As required by the Act, we have retained vouchers for every item of expense, which we desire shall be examined by such committee as your honorable bodies may appoint.

The balance in hand will not be sufficient to complete and furnish the building. The estimates, as made by the Architect, were founded on the prices current at the time they were made. Immediately thereafter, and even before the time expired for advertising, there was a rapid and heavy advance in the prices of materials and labor. Such articles as could not be let out at the time, and such labor as could not be specified, we have had to obtain at the usual prices—and these prices have continued to advance.

Owing to these unexpected advances, our loss by fire, and the delay caused by the recent epidemic, the building cannot, as we before remarked, be completed and furnished with the amount in hand. Nor can we say at present, precisely, what amount will be required to finish and furnish the building and put it into operation. We have directed the Architect to make out the necessary estimates, in order that they may be furnished at as early a day as practicable.

The Architect has made to our Board a detailed statement, to which we refer for further particulars.

As the building, with the necessary appropriation, will be ready for use in a few months, we respectfully suggest the propriety of passing such laws as your honorable bodies may deem expedient, for its control and management.

As the present Board were elected at your regular session, in 1852, their term of office will expire at this session, and they desire that their accounts, vouchers, &c., shall be examined and passed upon at as early a day as may suit your convenience to do so.

They earnestly desire, however, that in addition to the examination of their accounts and vouchers, the Legislators will, on some suitable day, visit and examine for themselves the buildings being erected.

Believing that no better cause ever invoked the aid of the Legislature, and that the buildings, when completed, will be a pride and an ornament to the State, they sincerely hope that the necessary means will be granted for their early completion, and such additional legislation had as may be necessary to put them into successful operation.

Very Respectfully,

WM. S. LANGLEY,
J. C. CARPENTER,
B. YANDELL,
DAN'L W. ADAMS,
W. HARDEMAN.

Jackson, Jan. 10th, 1854.

APPENDIX A.

James Wilson's Contract for Painting and Glazing, and furnishing all materials except glass,	\$ 3,278 00
Charles Dudley, Contract for Carpenter's work, under old Board,	14,506 96
Contract under present Board,	2,167 00
Graves & White, Contract for Lumber to the amount 415,000 feet, viz :	
Framing, a \$13 per M.	
Flooring, a \$14 " "	
Cypress, a \$17 " "	
Thomas Graves, Contract for Brick, one million, more or less, according to specification, a \$6 25 per M.	
C. A. & H. G. O. Parker, { Contracts for Brick-	
C. A. Parker, { work, and Plastering,	
Stuccoing, &c.,	14,129 00
Laying Brick, a \$4 per M.	
Reynolds, Kite & Tatum, Apparatus for heating, lighting, plumbing, &c.,	\$ 15,592 00

REPORT OF THE ARCHITECT OF LUNATIC ASYLUM.

To the Board of Commissioners

of the Lunatic Asylum :

GENTLEMEN:—According to custom, and at your request, I herewith submit the following report of the progress and present condition of work at the Lunatic Asylum :

At the date of the last report to the Legislature, at the regular Session, Jan. 1st, 1852, the brick-work had progressed so far that the walls of the first and second stories of the entire building were up, and the walls of the third story of the east wing were nearly completed, ready for the roof, and it was expected that we would have had both wings under roof early the following spring, but unforeseen causes prevented us from doing so. A contract was made with Mr. Jabez Reynolds, of Cincinnati, about the first of June, 1852, to furnish the cast-iron gutters for the roof, along with a large amount of other iron work for the Asylum. But owing to the very low stage of water in the Ohio river we did not get them until late in the summer, consequently it was near fall before we had both the wings enclosed. The scarcity of saw-mills in the vicinity of Jackson, and the difficulty of procuring lumber as it was wanted, has also been the cause of some delay in the progress of the work.

The extraordinary high price of all kinds of labor, but more particularly of mechanical labor, and the difficulty of procuring a sufficient supply of workmen, experienced by some of the contractors, who had large contracts on the Asylum, has been another great cause of delay in the progress of the business. The recent epidemic that made such fearful inroads in the south, last fall, has been another cause of great delay in the completion of the building, as business was entirely suspended for several months, and it was impossible to procure either materials or workmen at that time, which will apply particularly to Mr. Dudley, the contractor for the carpenters' work, as it was impossible for him to get lumber that he had contracted for, for the rear building, or to get hands to progress with the main buildings.

Mr. Parker, the contractor for the plastering and outside stuccoing, was also delayed, and prevented from finishing the outside of the building, in consequence of not being able to get his cement up until after the sickness was over, it having laid in New Orleans and Vicksburg during the prevalence of the fever in those places. Another casualty which occurred about the first of last September, which was the burning of Mr. Dudley's shop, has also been a great drawback to the completion of the buildings, as all the door frames for the main center building was consumed, with upwards of one hundred and thirty doors for the wings, and from twelve to fifteen thousand feet of choice lumber, belonging to the Asylum.

Notwithstanding so many occurrences have taken place to retard the completion of the buildings, they have progressed so far that the brick-work has been completed, and the buildings are all under roof, except the building erected in the rear for laundry, kitchen, &c., which will have the roof on in a few days. The walls and ceilings of both wings are all plastered except a very small portion, and the carpenter's work of both entire wings is nearly completed, there being a number of workmen now employed, putting up the inside finish, hanging the doors, &c.

The painting has also advanced as far as was practical, until the inside carpenter's work is entirely completed. The gas pipes have all been put up throughout the building; the plumbing is all done in the wings, and the steampipes and boilers for heating the building have all been put up, so that it will only require a few weeks longer to have both wings entirely completed, ready for the reception of patients.

The centre building, however, is not so far advanced; the work that was prepared for it, having been consumed at the time Dudley's shop was burned, and not having been replaced yet; the building is enclosed, and the inside work is being got ready to put up, so that it will not be long before it will be ready for plastering, and I think there is very little doubt but it can be got ready for the reception of patients by the 1st of next May. The stuccoing of the east wing has been completed, but as the weather has become

unfavorable for outside work, I have had the further stuccoing suspended until spring:

There have been four large cisterns built by Mr. Parker, according to contract, that will hold about six thousand barrels of water. There has also been a building erected in the rear of the main centre building, forty-five by eighty feet, and two stories high, which is twenty feet longer than was contracted for, but it was found indispensably necessary to make it that large, in order to furnish sufficient room for the boilers for heating the buildings and for the furnace for generating gas, which are located in the back end of said building. There has also been a large cistern built for the gasometer, and two dry wells or cisterns for purposes connected with the gas works, and pumps for forcing water to the top of the building. There has been a culvert constructed underground, leading from the main building to the dry well in the rear building, a distance of one hundred feet; the culvert is four feet in diameter, in the clear, laid in cement mortar, and plastered with cement in the inside, and is used to convey the gas-pipes, steam-pipes, condensed water-pipes, &c., from one building to the other. There has also been furnished and put up, a small steam engine for working force pumps to supply the buildings with water, to supply the boilers, and to work such other machinery as may hereafter be attached for the use of the institution. There has also been about twelve hundred feet of sewer built to convey off the excrement from the water closets and waste water from the bath rooms, &c. There have been three large water-tanks made and placed in the base of the cupola, on the centre building, lined with strong sheet lead, two for cold and one for hot water; other tanks have also been placed in the attic story of each wing, immediately over the bath rooms, that are supplied from the main tanks in the centre building, and those tanks in the wings supply the water closets, wash bowls, bath tubs, &c. The bath room, in each story of each wing, is supplied with one water closet, one shower bath, one stationary bath tub, and two stationary wash bowls; the bath tub and wash bowls are each supplied with both hot and cold water. Ample provision has also been made in the rear building for having a constant supply of hot and cold water for washing, cooking, &c.

In addition to the above, there has been a large amount of labor performed in digging for cisterns, grading around the east wing, and removing rubbish from the cellars. The cast-iron gutters and saddles for the roof have all been furnished by Mr. Reynolds, as well as the fixtures for heating, lighting and plumbing; also several hundred feet of cast-iron pipes to convey the water from the conductors to the cisterns; the cast-iron sash have nearly all been furnished, and I expect Mr. Reynolds here in a few days with the registers, and some other fixtures to complete his contract.

The estimates that I presented to the board two years ago, contemplated that fifty thousand dollars would complete the buildings

then commenced, and erect a back building suitable for kitchen, laundry, servants' rooms, &c.; and that twenty-five thousand dollars would pay for the apparatus for heating the building with steam, lighting it with gas, furnishing the steam engine, pipes, &c., for the plumbing, and also pay for the furniture to furnish the building and improve the grounds. Those estimates were made out in accordance with the price of labor and materials at that time, and consequently were supposed to be sufficient for the purpose, but subsequent experience has shown that they were insufficient.

The law of the Legislature making the original appropriation for the Asylum, enacted, that there should be at least six weeks notice given before any contracts should be let out, and the law of the last session enacted, that the commissioners should not receive any of the money then appropriated until all contracts were let out; so that by the time that plans and specifications of the different kinds of work could be made out, and the proper notice be given, it was about the first of June before the contracts were made. In the mean time, the price of labor and materials of all kinds had advanced considerably, and on some kinds of materials, nearly double; as, for instance, metals of nearly all kinds had advanced to nearly double what they were a few months before.

You will see by the estimates that were then made, that the heating, lighting and plumbing, including all expenses, were estimated at ten thousand dollars, whereas, by the contracts that were made with Mr. Reynolds, for furnishing and putting up those fixtures, amount to the sum of thirteen thousand seven hundred and eleven dollars, besides freights, commissions, hauling, &c., to more than one thousand dollars; and brick-work, &c., to probably about five hundred dollars; making the cost of those three items upwards of fifteen, instead of ten thousand dollars. The cast-iron sash, gutters, and saddles for the roofs, and cast-iron pipes to convey the water to the cisterns, have also cost considerably more than they were estimated. The rear building, erected for kitchen, laundry, &c., will also cost some two thousand dollars more than was estimated, partly in consequence of the difference in the price of labor, and partly in consequence of the increased size.

The lumber bill is also more than was estimated, owing to the increase in the price of lumber, and being compelled to get a large quantity from a distance.

Most of the other contracts on the building were taken at about the estimated price. We have had about two hundred thousand brick more made than was estimated for, which are now on hand, but they will be needed about the premises, for additional improvements that will have to be made; some additional lumber will have to be procured to complete the buildings, principally to replace that that was burnt at Mr. Dudley's shop, in the doors, frames, &c.

You will see by the following exhibit, from the books of the Secretary, that there has been appropriated by your Board, and

expended on the buildings since the organization of the present Board, the sum of sixty thousand three hundred and forty-nine dollars and twenty-nine cents—as follows :

To Thomas Graves, for making brick.....	\$7,962 96
To C. A. Parker, for brick-work and plastering.....	11,935 75
To Charles Dudley, for carpenters' work.....	11,027 10
To Graves & White, for lumber.....	2,822 11
To Wirt Adams, sundry advances, to pay for lumber purchased in Vicksburg and Yazoo City.....	2,825 14
To Anderson & Hilzheim, lumber.....	183 08
To James Wilson, for painting.....	2,000 00
To Richard Crivot, smith-work.....	121 78
To Smith Taylor, smith-work.....	79 50
To G. W. Langley & Co., iron.....	327 98
To H. & P. Hilzheim, hardware.....	173 76
To John T. Hull, hardware.....	16 30
To Zimmerman & Co, castings.....	80 95
To H. C. Sides, castings.....	132 80
To Jabez Reynolds, on contract for heating, lighting, plumbing, &c.....	12,100 00
To James Smith, tin work.....	300 00
To William Potticary, slating roof.....	200 00
To Raymond Ximenez, slating roof.....	113 50
To L. C. Moore & Co., freights, &c.....	403 91
To C. A. Moore & Co., cement and stationery.....	46 33
To John Yost, stone work.....	318 32
To Daniel McGrath, for stone work.....	326 20
To R. Y. Stewart, for rock.....	45 00
To Dr. Garland, for wood.....	112 00
To S. P. Baley, for hauling.....	57 50
To W. W. Langley, for hauling.....	33 00
To Thomas Graves, for hauling.....	44 00
To L. V. Dixon, for negro hire.....	250 50
To J. Willis, contingent expenses, salary, &c.....	5,678 51
To J. C. Carpenter, for desk, salary, &c.....	272 25
To L. Julianne, for books.....	16 00
To J. & T. Green, for book.....	2 00
To H. C. Daniels, for surveying.....	8 00
To Richard Griffith, commissions for disbursing under former Board.....	250 00
To Dobson & Dickey, for printing.....	19 00
To M. Shannon, for printing.....	5 00
To Thomas Palmer, for printing.....	44 00
To Barksdale & Jones, for printing.....	14 00
	60,348 29
Amount of appropriation.....	75,000 00
Amount expended up to December 31....	60,348 29
Balance on hand January 1, 1854.....	\$14,651 71

Of this amount, however, there is due to contractors, and to pay sundry bills for hardware, &c., probably about three thousand dollars, and it will only be a short time before several thousand more will become due, as the contracts will be completed for the heating, lighting, plumbing, &c., in a few weeks, and other contracts advancing towards completion.

The funds placed in my hands have been expended as follows :

Paid R. P. Winslow for iron, - - - - -	\$ 22 36
Paid Richardson & Robinson, for iron, - - - - -	85 09
Paid J. T. Hull, hardware, - - - - -	21 61
Paid Lawrance Farrell, labor, - - - - -	31 50
Paid R. Y. Stewart, for rock, - - - - -	28 25
Paid C. R. Dickon, negro hire, - - - - -	40 00
Paid James Marian, for labor, - - - - -	49 63
Paid C. H. Manship, painting, - - - - -	22 50
Paid Smith & Crivot, smithwork, - - - - -	56 15
Paid C. Dudley, for desk, - - - - -	25 00
Paid Mrs. Willis, negro hire, - - - - -	25 00
Paid Dunkin McKenzie labor, - - - - -	93 00
Paid J. B. Star, labor, - - - - -	1 00
Paid Daniel McGrath, stone cutting, - - - - -	92 50
Paid John Yost, stone cutting, - - - - -	244 60
Paid E. Tarpley, office rent, - - - - -	62 50
Paid G. W. Channel, negro hire, - - - - -	5 00
Paid R. A. Clark, - - - - -	7 00
Paid A. Smeder, tin work, - - - - -	217 38
Paid T. Whaley, hauling lumber, - - - - -	155 00
Paid Mrs. Willis, negro hire, - - - - -	53 00
Paid James Marian, digging cistern, - - - - -	63 00
Paid Nicholdson & Burk, work on cistern, - - - - -	5 00
Paid B. Yandell, negro hire, - - - - -	113 00
Paid M. Shannon, advertising, - - - - -	3 00
Paid Fearn & Putnam, - - - - -	96
Paid L. C. Moore & Co., freights, &c., - - - - -	93 37
Paid P. Hilzheim, hauling, - - - - -	28 00
Paid P. L. Sigheen, - - - - -	1 50
Paid T. Graves, - - - - -	10 00
Paid self for hauling lumber, castings, - - - - -	142 50
Paid J. Spengler, lumber, - - - - -	64 00
Paid steamer Delta, freights, - - - - -	4 00
Paid H. Pomeroy, for pattern sash, - - - - -	22 40
Paid H. C. Sides, castings, - - - - -	6 00
Paid A. C. Porte, lightning rods, - - - - -	45 00
Paid Wm. Corcrane, labor, - - - - -	94 68
Paid John Burk, labor - - - - -	70 00
Paid James Burk, labor, - - - - -	49 37
Paid John Mangum, - - - - -	67 28
Paid John Nickolson, - - - - -	22 50
Paid Michael Hanley, - - - - -	193 75

Paid Lawrence Hanley, labor, ...	182 50
To Raymond Ximinez, slating, ...	31 00
Paid Rail Road, freights on lumber, castings, &c., .	1036 45
Paid self for sundry traveling expenses, to purchase lum-	
ber, &c., despatches, postage, ...	56 06
Paid Mrs. Willis, boarding slater 2 1-3 months, . . .	35 00
Paid salary as Architect, from November 20th, 1851, to	
December 31st, 1853, inclusive, at \$1 500, . . .	3,178 28

\$6,956 67

Amount received, ...	\$5,678 51
Balance in my hands, Jan. 1st, 1852, . . .	453 68
Balance due me Jan. 1st, 1854, . . .	824 48
All of which is respectfully submitted.	

J. WILLIS, Architect.

DECEMBER 30, 1853.

DR.

Commissioners Mi. Lunatic Asylum,

1852.		
June 8..	To amount received from State Treasurer on Auditor's warrant, this date.....	\$40,000 00
	To amount received from Treasurer of former Board	197 55
		\$40,197 55

Am't carried forward..... \$40,197 55

with the State of Mississippi.

CR.

1852.		
April 3..	By am't paid Garland for wood... V'r 1	\$ 112 00
	By am't paid Vickburg foundry... V'r 2	80 95
	By am't paid T. Palmer, advert'g.. V'r 3	30 00
	By am't paid J: & T. Green..... V'r 4	2 00
	By am't paid Thos. Graves..... V'r 5	44 00
	By am't paid Graves & White.... V'r 6	1,452 94
	By am't paid C. A. Parker..... V'r 7	5,049 55
	By am't paid Thos. Graves..... V'r 8	3,918 96
June 7..	By am't paid Jos. Willis..... V'r 9	902 00
	By am't yaid R. Y. Stewart..... V'r 10	45 00
	By am't paid Daniel McGrath.... V'r 11	326 20
	By am't paid H. C. Daniell..... V'r 12	8 00
	By am't paid John Yost..... V'r 13	318 32
	By am't paid G. W. Langley & Co V'r 14	133 42
	By am't paid L. Julianne..... V'r 15	16 00
	By am't paid L. V. Dixon..... V'r 16	109 50
	By am't paid J. C. Carpenter.... V'r 17	7 25
	By am't paid R. Crivit, labor.... V'r 18	51 70
	By am't paid M. Shannon, adv.... V'r 19	5 00
	By am't paid Dobson & Dickey... V'r 20	19 00
June 8..	By am't paid Thomas Palmer.... V'r 21	14 00
	By am't paid Barksdale & Jones.. V'r 22	14 00
	By am't paid Charles Dudley.... V'r 23	6,000 00
	By am't paid C. A. Parker..... V'r 24	See vou. 7
	By am't paid Wirt Adams, lumber. V'r 25	650 55
	By am't paid Richard Griffith V'r 26	*250 00
	By am't paid James Wilson..... V'r 27	1,000 00
Aug. 30.	By am't paid Jos. Willis,..... V'r 28	375 00
Sept. 22	By am't paid Thomas Graves.... V'r 29	2,500 00
Oct. 5..	By am't paid Wm. Potticary V'r 30	100 00
Oct. 7..	By am't paid H. C. Sides..... V'r 31	132 80
Nov. 16.	By am't paid Wirt Adams..... V'r 32	†2,174 59
Nov. 19.	By am't paid R. Crivit..... V'r 33	70 05
Nov. 22.	By am't paid Jos. Willis, salary... V'r 34	375 00
	By am't paid Willis, con. fund.... V'r 35	700 00
Dec. 24.	By am't paid Charles Dudley.... V'r 36	600 00
1853.		
Jan. 3..	By am't paid Jos. Willis, salary... V'r 37	276 51
	By am't paid L. V. Dixon..... V'r 38	141 00
	By am't paid Langly & Co..... V'r 39	159 83
	By am't paid L. C. Moore & Co.. V'r 40	83 20
Am't carried forward.....		\$ 28,248 32

*For disbursing \$40,000 for former Board. †Our draft for lumber.

Dr.

Commissioners Mi. Lunatic Asylum,

1853. June 8..	To amount bro't forward.....	\$40,197 55
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Am't carried forward.....	\$40,197 55
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with the State of Mississippi.

Cr.

	Am't bro't forward.....	\$ 28,248 32
1853.		
Jan. 31	By am't paid Charles Dudley... { V'r 41 V'r 42	89 00 454 35
Nov. 31.	By am't paid Wm. Potticary..... V'r 43 By am't paid Smith Taylor..... V'r 44 By am't paid C. A. Moore & Co.. V'r 45 By am't paid Anderson & Hilzheim, V'r 46	100 00 51 00 17 70 183 08
Feb. 7..	By am't paid J. C. Carpenter & Co. V'r 47 By am't paid J. C. Carpenter V'r 48 By am't paid Thomas Graves V'r 49 By am't paid C. A. Parker..... V'r 50	15 00 250 00 1,500 00 2,500 00
Mar. 18.	By am't paid Jos. Willis..... V'r 51	500 00
April 9.	By am't paid Charles Dudley..... V'r 52 By am't paid Jos. Willis, salary... V'r 53	1,500 00 375 00
April 16	By am't paid L. C. Moore & Co.. V'r 54	127 50
April 30	By am't paid C. A Moore & Co... V'r 55	28 63
May 19.	By am't paid Jos. Willis..... V'r 56	500 00
June 15.	By am't paid Reynolds, Kite & Ta- tum, glass ware, &c V'r 57 By am't paid James Wilson..... V'r 58 By am't paid C. A. Parker..... V'r 59	10,000 00 1,000 00 167 20
June 18.	By am't paid Charles Dudley..... V'r 60 By am't paid Graves & White.... V'r 61 By am't paid James Smith..... V'r 62	1,000 00 1,000 00 300 00
July 28.	By am't paid C. A. Parker..... V'r 63 By am't paid Jos. Willis..... V'r 64 By am't paid L. C. Moore & Co.. V'r 65 By am't paid Jno. T. Hull..... V'r 66 By am't paid H. & P. Hilzheim... V'r 67 By am't paid S. P. Baley..... V'r 68	4,000 00 875 00 193 21 16 36 173 76 57 50
Aug. ...	By am't paid Brooks, for Reynolds, Kite & Tatum V'r 69 and 70	2,100 00
Sept. 12.	By am't paid Charles Dudley..... V'r 71	120 00
Nov. 15.	By am't paid R. Ximenes..... V'r 72 By am't paid Graves & White.... V'r 73 By am't paid Smith Taylor..... V'r 74 By am't paid Langley & Co..... V'r 75 By am't paid W. W. Langley.... V'r 76 By am't paid Jos. Willis, con't.... V'r 77 By am't paid Jos. Willis, salary... V'r 78	113 50 369 17 28 50 34 73 33 00 300 00 500 00
Dec. 28.	By am't paid Charles Dudley..... V'r 79	75 00
Nov. 28.	By am't paid Charles Dudley..... V'r 80	143 75
	Am't carried forward.....	\$ 59,050 26

DR.

Commissioners. Mi. Lunatic Asylum,

1853.		
Jan. 10.	To amount bro't forward.....	\$ 40,197 52
	To am't received from State Treasurer, on Auditor's warrant.....	35,000 00
	.....	\$ 75,197 55
	Deduct am't disbursements, per vouchers..	60,769 26
1854.		
Jan. 9..	To balance on hand.....	\$ 14,428 29

with the State of Mississippi.

CR.

	Am't bro't forward.....	\$59,050 26
1853.		
Dec. 10.	By am't paid C. A. Parker.....V'r 81	219 00
Dec. 17.	} By am't paid Charles Dudley..	V'r 82 240 00
Dec. 24.		V'r 83 320 00
Dec. 30.		V'r 84 235 00
Jan. 2..		V'r 85 245 00
Jan. 6..		V'r 86 200 00
		V'r 87 270 00
		5,777 91
1853.		
Jan. 8..	By balance in hands of Treasurer	\$60,669 26
	of Board.....	14,428 29
		\$75,197 55

J. C. CARPENTER,

Secretary Board Commissioners Lunatic Asylum.

COMPARATIVE COST OF THE MISSISSIPPI STATE LUNATIC ASYLUM, WITH SIMILAR ASYLUMS IN DIFFERENT STATES.

The "Pennsylvania Hospital for the Insane," opened in 1840, and cost \$325,000, since which time a large amount has been expended in improving the grounds, and extending the accommodations. The buildings will accommodate, at present, about two hundred and twenty-five patients. The extensive "Asylum" at Utica, New York, will accommodate about five hundred patients, and has cost, including a farm and out-buildings, more than half a million of dollars.

The cost of the "Bloomingdale Hospital," near the city of New York, including out-buildings, furniture, and improvements, was more than \$200,000—number of patients from one hundred and twenty-five to one hundred and fifty.

The "Rhode Island Hospital for the Insane," at Providence, cost, including farm, improvements, furniture, &c., \$110,000, and is capable of accommodating one hundred patients.

The "McLean Hospital," at Somerville, Massachusetts, can accommodate about one hundred and fifty patients, and has cost in improvements and buildings, over \$300,000.

The "Massachusetts State Hospital" has cost, in buildings, improvements, furniture, &c., over \$300,000, and can accommodate near four hundred patients.

The "New Jersey State Hospital," at Trenton, after which ours is modelled, cost \$190,000, and will accommodate about two hundred patients. It is built of a red free-stone, that was procured in the vicinity of the buildings, and cost but little to quarry and haul them to the building, and consequently, the buildings cost several thousand dollars less than they would had they been built of brick.

The buildings, furniture, and improvements of the "Ohio State Hospital," have cost over \$230,000, when at the same time nearly all the labor was performed by the convicts of the State prison, at from thirty-five to forty cents per day,—it is capable of receiving three hundred and fifty patients.

The original cost of the "Maryland Hospital for the Insane," with accommodations for one hundred and twenty patients, was \$200,000.

The "Indiana Hospital for the Insane," which was built at a time when labor and materials were unusually cheap,—has cost in buildings, furniture and improvements, over \$100,000, and will accommodate one hundred and fifty patients; and within the last year \$60,000 more have been appropriated to build two additional wings. The brick for the original building, was delivered on the ground for three dollars and thirty-one cents per thousand, and lumber and most other materials at a proportionate price, which is

about one-half what the same kind of materials for our building have cost. There has been appropriated for the Mississippi State Lunatic Asylum, the sum of \$135,000, and the further sum of \$30,000 is required to complete the buildings, procure the furniture, and improve the grounds, &c., ready for the reception of patients, making the total cost of the building, when completed and furnished, \$165,000; \$10,000 of this sum ought not to be included in the cost of the present buildings, as now erected, as it was absorbed in tearing down the original walls, and purchase of farm, &c. &c., making the buildings and improvements, when completed and furnished, say \$155,000.

The building will accommodate about one hundred and sixty patients. The buildings, when completed, will be equal in beauty, strength and durability, to any similar institution of the kind in the United States, and will have cost less than the average cost of similar buildings in proportion to the number of patients it will accommodate, notwithstanding the price of labor and materials have increased so much within the last few years.

On motion of Mr. Adams, 200 copies of the report and account of the Commissioners of the Lunatic Asylum, was ordered to be printed.

Mr. Pegues called up the resolution originating in the House of Representatives, which, as amended by the Senate, reads as follows :

Resolved, (the Senate concurring,) That the State Treasurer be and he is hereby authorized to use in payment of warrants drawn on the Treasury, whatever amount of cash may be in the Treasury belonging to the Sinking Fund and the Internal Improvement Fund; Provided, said funds shall be reimbursed out of the general tax fund, when paid into the treasury.

Mr. Ellett moved to strike the proviso from the resolution,

Which motion was carried by the following vote :

AYES—Messrs. Beene, Berry, Ellett, Hemingway, Johnston, McWillie, Monroe, Nelson, Pope, Pegues, Ramsay, Stuart, and Webb—13.

NAYS—Mr. President, Messrs. Adams, Acker, Arthur, Cobb, Farrar, Greer, Hough, Koger, Oliver, Reynolds, and West—12.

Mr. Ellett moved to amend, by inserting after the words "Internal Improvement Fund,"—Provided, that the same shall be returned whenever the public revenue shall be sufficient for that purpose, after paying the expenses of the State government for the current year.

Which was adopted.

Mr. West moved that the resolution and amendments be laid on the table ;

Which motion was lost.

Mr. Webb moved that the resolution, as amended, be adopted ;
Which motion prevailed by the following vote :

AYES—Messrs. Acker, Beene, Berry, Ellett, Greer, Johnston, Koger, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Reynolds, Stuart, and Webb—16.

NAYS—Mr. President, Messrs. Adams, Arthur, Cobb, Farrar, Hemingway, Hough, McWillie, and West—9.

The following message was received from the House of Representatives, through their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT—The House of Representatives have passed a Senate bill,

To be entitled an act to incorporate the Vicksburg Gas Light Company ;

Which is herewith returned to the Senate.

Mr. Adams introduced the following resolution, which was adopted.

Resolved, That all memorials presented to the Senate, and bills of the House and Senate in the possession of the Senate, having for their object the removal of the disabilities of minors, be referred to a select committee of three.

The President appointed on said committee, Messrs. Adams, Banks, and Ellett.

Mr. Cobb introduced the following resolution :

Resolved, That no smoking will be allowed in the Senate chamber, during the sittings of the Senate, and that the Door-keeper be charged to see that such order is not violated.

Mr. Johnston moved to amend, by adding after the word "smoking,"—"and chewing tobacco ;"

Which motion was lost.

On motion of Mr. Cobb, the resolution was adopted.

Mr. Beene, from the Judiciary committee, made the following report :

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act for the relief of the sheriff of Warren county, and for other purposes, and have instructed me to recommend the amendment of the same, by striking out the amendment adopted by the Senate, and recommend the passage of the original bill.

On motion of Mr. Beene, the report was received and agreed to.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Berry,

The Senate adjourned until to-morrow morning 10 o'clock A. M.

MONDAY, JANUARY 16, 1854.

The Senate met pursuant to adjournment;

And was opened with prayer by the Rev. Mr. Lowry.

The Journal of Saturday was read.

Mr. Alcorn, the Senator from the counties of Coahoma and Tallahatchie, appeared and took his seat.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell, to-wit:

MR. PRESIDENT.—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to amend an act entitled an act to reduce into one the several acts heretofore passed in relation to 16th sections and common schools, so far as relates to the county of Hinds, approved March 1, 1850.

A bill to be entitled an act to change the time of holding the Probate Court of Coahoma county.

A bill to be entitled an act to incorporate the Natchez, Washington and Meadville Plank Road Company, and for other purposes.

A bill to be entitled an act to authorize the Board of Police of Jackson county to meet and organize.

A bill to be entitled an act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15th, 1852, and for other purposes.

A bill to be entitled an act to change the time of holding the Probate Court of Itawamba county.

A bill to be entitled an act for the relief of Herrin G. W. Walker, a minor, of Copiah county, and for other purposes.

A bill to be entitled an act to change the time of holding the Probate Court of the county of Wayne.

A bill to be entitled an act to remove the civil disabilities of Austin Pollard, a minor, of Monroe county, and others.

A bill to be entitled an act to change the name of Bertha Meyers to Bertha Lavenburg.

A bill to be entitled an act to change the name of Martha Ann Lewis to the name of Martha Ann Beauchamp.

A bill to be entitled an act to provide for the quieting of the land titles and to remedy the loss of evidence of title caused by the destruction by fire of the records of the Circuit and Probate Courts and the records of deeds in the county of Hancock;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendment made by the Senate to the House bill entitled an act to provide for a special term of the Circuit Court of Washington county.

The Speaker of the House of Representatives has signed—

An act for the relief Yazoo county.

An act to authorize the Sheriff of Hancock county to use the jail in the town of Shieldsborough as the county jail of said county.

An act to provide for a special term of the Circuit Court of Washington county ;

Which are herewith presented to the Senate for the signature of the President.

Mr. West presented the petition of Wm. H. Johnson and wife, which was read and referred to a select committee of three.

The President appointed on said committee, Messrs. West, Pegues and Pope.

Mr. Berry presented the petition of sundry citizens of Tippah county, which was referred to the Judiciary committee.

Mr. Ellett presented the petition of James W. McClure ;

Which was referred to the select committee, to whom was referred the various petitions of persons asking to have their disabilities as minors, removed.

Mr. Ellett, moved to call up Senate bill of the following title :

A bill to be entitled an act to amend the Constitution of the State of Mississippi :

Which was referred to committee on the Judiciary.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act for the relief of Robert D. Whitfield, of Monroe county ;

Which was read the first time.

Mr. Acker moved to suspend the rule that the bill might be read a second time ;

Which motion was lost.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to incorporate the town of Thomas-town, in Leake county.

Which was read the first time.

On motion of Mr. Pope, the rule requiring bills to be read on three several days was suspended.

The bill was read a second time and ordered to be engrossed, and made the order of the day for eleven o'clock to-morrow.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to incorporate the Monroe Female Institute, in the town of Aberdeen.

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On motion of Mr. Acker, the rule was further suspended, and the bill read a third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Bennett introduced a bill of the following title :

A bill to be entitled an act to authorize Elias B. Puckett, to dispose of certain lots of land, for the benefit of the Zion Seminary;

Which was read the first time.

On motion of Mr. Bennett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time, and referred to the Judiciary committee.

Mr. West called up a House bill of the following title :

A bill to be entitled an act to change the time of holding the Probate court of Holmes county.

Mr. West moved to amend the bill by an additional section ;

Which was adopted.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended,

The bill read the third time and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Greer, the vote taken on Saturday upon the printing of 200 copies of the Report and Accounts of the Commissioners of the Lunatic Asylum, was reconsidered.

On motion of Mr. Greer, 1000 copies of said Report and Accounts were ordered to be printed.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to provide compensation to the several Sheriffs of the State of Mississippi, in certain cases, and for other purposes.

A bill to be entitled an act to prevent fraudulent dealings.

A bill to be entitled an act for the relief of executors, guardians, administrators, &c.;

In which I am instructed to desire the concurrence of the Senate.

Mr. Elllett called up the orders of the day—the resolutions offered by Mr. Cobb, in relation to Federal relations,

Pending the discussion of the resolution,

On motion of Mr. Greer,

The Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, JANUARY 17, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Bennett presented the petition of Juliet Jayne, which was referred to the committee on Claims.

Mr. Koger presented the petitions of Theodore Swift and T. W. Tate, which were referred to the select committee to whom have been referred the various petitions of minors, asking to have their disabilities removed.

McWillie presented the petition of Aaron A. Carson, of Madison county, of which the same disposition was made.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined a Senate bill of the following title :

An act to incorporate the Vicksburg Gas Light Company ;

And have found the same correctly enrolled.

They have also this day presented to his Excellency the Governor, for his signature and approval, bills of the following titles :

An act to authorize the sheriff of Hancock county to use the jail in the town of Shieldsborough, as the county jail of said county ;

An act for the relief of Yazoo county.

An act to provide for a special term of the Circuit Court of Washington county.

Mr. Beene, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—The committee on the Judiciary have had under consideration, the resolution of the Senate, in reference to the attendance of witnesses, have instructed me to report, that in the opinion of said committee the measure referred to in said resolution would be expedient, inasmuch as it would have a tendency to save costs ; and have instructed me to report the herewith accompanying bill, and recommend its passage.

On motion of Mr. Beene, the report was received and agreed to.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—The committee on Engrossed Bills, have this day examined a bill of the following title :

A bill to be entitled an act to incorporate Thomastown, in Leake county ;

And have found the same correctly engrossed.

Mr. West, from the select committee to whom was referred the petition of Wm. H. Johnson and wife, reported a bill of the following title :

A bill to be entitled an act for the relief of Caroline C. Johnson, of Holmes county ;

Was read the first time.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On motion of Mr. West, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Adams, from a select committee, made the following report :

MR. PRESIDENT—The select committee to whom was referred the bill to be entitled an act for the relief of Thomas S. N. King, have had the same under consideration, and have instructed me to report the accompanying bill, as a substitute, and recommend its passage.

A bill to be entitled an act for the relief of Thomas S. N. King;
Was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On the motion of Mr. Adams, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Adams, from a select committee to whom was referred a bill to be entitled an act for the relief of Mississippi College, made the following report :

MR. PRESIDENT—The committee who have under consideration a bill entitled an act for the relief of Mississippi College; and accompanying memorials, have instructed me to report the bill without amendment, and recommend its passage.

The bill was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On motion of Mr. Adams, the bill was ordered to be engrossed and made the order of the day for Thursday, the 19th inst.

Mr. Oliver called up a bill reported by the Judiciary committee; entitled an act to require the attendance of witnesses under one subpoena ;

Which was read the first time.

On motion of Mr. Oliver, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

Mr. Adams offered an amendment thereto ; when,

On motion of Mr. Webb, the bill with the amendment, was re-committed to the Judiciary committee.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives have signed enrolled bills of the following titles ;

An act to incorporate the Vicksburg Gas Light Company.

An act to change the time of holding the Circuit Courts of Holmes and Yazoo counties.

Which are herewith presented to the Senate, for the signature of the President.

On motion, Mr. West of the select committee to whom was referred a bill to be entitled an act to change the time of electing county officers ;

Was read the first time.

On motion of Mr. West, the bill was re-committed to the Judiciary committee.

Mr. Cobb offered the following resolution :

Resolved, That the committee on Internal Improvements be instructed to report a bill to amend the various railroad charters granted to companies in this State, as to allow juries, summoned to assess damages on any lots or tracts of land through which said

railroads may be located to pass, to consider, in connection with their verdict, the benefits to accrue, as well as the damage to result, to the owners of said lots or tracts of land, and to render a verdict accordingly.

Which was read and adopted.

Mr. Farrar introduced a bill to be entitled an act to amend and reduce into one the act incorporating the City of Natchez, and the several acts amendatory thereto.

Which was read the first time.

On motion of Mr. Farrar, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and considered as engrossed.

On motion of Mr. Farrar, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cobb introduced a bill to be entitled an act to create in the University of Mississippi, a professorship of governmental science and law ;

Which was read the first time.

On motion of Mr. Cobb, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title, and made the special order of the day on Wednesday the 18th inst.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed bills with the following titles :

A bill to be entitled an act to suppress tippling houses in the county of Clarke, and for other purposes.

A bill to be entitled an act for the purpose of granting ferry privileges to Johnson and Emerson O'Neal, in the county of Tunica.

A bill to be entitled an act to incorporate the Pearl River Bridge Company, at Monticello, in Lawrence county.

In which I am instructed to ask the concurrence of the Senate.

The following message was received from his Excellency the Governor, by G. S. McMillan, his private secretary :

MR. PRESIDENT—I am instructed by his Excellency the Governor to transmit to the Senate the accompanying message, in relation to the Geological report of Prof. B. L. C. Wailes, of the Geological department of the Mississippi University :

EXECUTIVE OFFICE,
Jackson, Jan. 17, 1854. }

To the Senate and House of Representatives :

I invite the attention of the two Houses to the report of Prof. B. L. C. Wailes, Geological Department of the Mississippi University, on the Agriculture, Geology, and Natural History of Mississippi,

which, in pursuance of order of the Board of Trustees of the University, has been presented as required by law, to the Governor, and which I have the honor to submit for the consideration of the Legislature. The Board of Trustees express their entire satisfaction at the able manner in which Prof. Wailes has discharged his duties, and as an individual member of the board, I concur in their unanimous opinion in favor of the publication of the report. It is the first of a series which will form the geological history of our State, and is preceded by an interesting historical outline of the discovery and early settlement of the Mississippi Territory, with other valuable statistical information, which will be useful and interesting to the people of the State. I recommend the printing of the report by authority of the Legislature, in neat and durable style, and in such numbers as will be sufficient for distribution in our own State, and for partial distribution in other States. Should the printing of the report be ordered, as recommended, it is proper to say, that I am informed by Prof. Wailes, that the preliminary historical outline is not entirely finished; the period during which the country was subject to the Spanish rule, having yet to be supplied, to bring it down to the time of the surrender of the country to the United States.

The department of Zoology is also incomplete, and there are blanks in the tables of statistics to be filled up when the census returns are published, and several plates representing the fossils and geological sections required properly to illustrate the reports, are yet to be added. These can all be perfected and the report be revised by the State Geologist, before it is printed.

I accompany the report with the letter of the President of the Board of Trustees of the University, submitting it to the Governor.

JOHN J. McRAE.

JACKSON, MISS. }

Jan'y, 12, 1854. }

To his Excellency, JNO. J. McRAE, Gov. of Miss.

SIR: In pursuance of an order of the Board of Trustees of the University of Mississippi, I herewith lay before you the report of Prof. B. L. C. Wailes, on the Agriculture, Geology, and Natural History of Mississippi; and in doing so, I embrace the occasion to express the entire satisfaction of the Board, with the able manner in which the Professor has discharged the duty which had been assigned him.

With due respect,

Your obedient servant,

J. THOMPSON,

Pres. of the Board of Trustees.

Which was read.

Mr. West called up House bill of the following title:

A bill to be entitled an act to make Eliza Robb, Ann House, and John F. House, jr., co-heirs of Delilah House;

Which was read the first time.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On motion of Mr. McWillie, the bill was referred to the Judiciary committee.

On motion of Mr. Cobb, the message received from his Excellency the Governor, in relation to the report of Professor B. L. C. Wailes of the Geological department of the Mississippi University, was taken up; and

On motion of Mr. Cobb, the message and report was referred to a select committee of five.

The President appointed, on said committee, Messrs. Cobb, Ellett, Acker, Alcorn, and Webb.

Mr. Stuart, from the joint standing committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his signature and approval, the following bills:

An act to incorporate the Vicksburg Gas Light Company.

An act to change the time of holding the Circuit Courts of Holmes and Yazoo counties.

Mr. Ramsay called up the House bill of the following title:

A bill to be entitled an act to provide for the quieting of the land titles, and to remedy the loss of evidence of title caused by the destruction, by fire, of the records of the Circuit and Probate Courts, and the records of deeds, in the county of Hancock.

Which was read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Johnston called up the House bill of the following title:

A bill to be entitled an act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March the 15th, 1852, and for other purposes;

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

Mr. Johnston offered amendments thereto.

On motion of Mr. Johnston, the bill, as amended, was ordered to be engrossed, and made the order of the day for to-morrow.

Mr. Ramsay called up the House bill of the following title :

A bill to be entitled an act to authorize the Board of Police of Jackson county to meet and organize ;

Which was read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, the bill read a second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Hemingway called up the House bill of the following title :

A bill to be entitled an act to legalize the assessment rolls of Carroll county.

Which was read the first time.

On motion of Mr. Hemingway, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

On motion of Mr. Hemingway, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Bennett called up the House bill of the following title :

A bill to be entitled an act to legalize the assessment rolls of Copiah county, and for other purposes ;

Which was read the second time.

The following message was received from his Excellency the Governor, by his private secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day signed a bill with the following title :

An act to incorporate the Vicksburg Gas Light Company.

Mr. Cobb introduced the following resolution, which was adopted :

Resolved, That the Door-keeper be instructed to cause to be furnished, weekly, to each member of the Senate, a copy of the "Flag of the Union."

Mr. Arthur gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled an act to incorporate Hills City Institute, an institution of learning at Vicksburg.

Mr. Acker, gave notice that on to-morrow, or an early day thereafter, he would ask leave to introduce a bill to be entitled an act to repeal the laws now in force, authorizing sheriffs and other officers to take forth-coming bonds.

Mr. Adams, from the select committee to whom was referred sundry petitions and bills in relation to minors, reported a bill of the following title :

A bill to be entitled an act for the relief of Herrin L. W. Walker of Copiah county, and others ;

Which was read the first time.

On motion of Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

On motion of Mr. Adams, the report of the committee was received and agreed to, and the committee discharged.

On motion,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 18, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Webb presented the petition of Thos. L. Duncan, which was referred to a select committee of three.

The President appointed on said committee, Messrs. Webb, Beene and Reynolds.

Mr. Cobb presented the petition of sundry citizens of Lowndes county, which was referred to the committee on Propositions and Grievances.

Mr. Acker presented the petition of William A. Blanchard, of Monroe county, which was referred to the committee on Claims.

Mr. Acker, from the standing committee on Internal Improvements, made the following report :

The regular standing committee on Internal Improvements, to whom was referred a bill to be entitled an act granting pre-emption rights to actual settlers upon the swamp and overflowed lands granted to the State of Mississippi, by act of Congress, of the 28th of September, 1850, have had the same under consideration, and have instructed me to report said bill back to the Senate without amendment, and recommend its passage.

Also, a bill entitled an act to incorporate the Camargo Branch Rail Road Company—have made a slight amendment thereto, and have instructed me to report the same, and recommend its passage as amended.

Which was received and agreed to.

Mr. Bennett called up the bill reported by the Committee on Internal Improvements, of the following title :

A bill to be entitled an act granting pre-emption rights to actual settlers upon the swamp and overflowed lands granted to the State of Mississippi, by act of Congress, of the 28th September, 1850.

On motion of Mr. West, the bill was recommitted to the committee on Internal Improvements.

Mr. Stuart introduced a bill of the following title :

A bill to be entitled an act to abolish the office of State Commissioner, and for other purposes.

Which was read the first time.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring,) That a joint committee consisting of nine on the part of the House, and ——— on the part of the Senate, be raised to examine the late census returns, and report a suitable apportionment of Senators and Representatives among the several counties, cities or towns in this State.

The committee on the part of the House, are:

Messrs. Gordon, Abbott, Shannon, Barksdale, Rozell, Anderson, Brown, Garrett and Taylor.

In which I am instructed to desire the concurrence of the Senate.

Mr. Johnston introduced the following resolution, which was adopted:

Resolved, That the Treasurer be instructed to inform the Senate what amount of money has been paid out of the treasury from first to last in locating the five hundred thousand acres (500,000) of internal improvement land, and also what amount of expense has been incurred in locating the Chickasaw School lands, and report at a period as early as practicable.

Mr. Steele introduced the following resolution, which was adopted:

Resolved, That the Door-keeper to the Senate be required to report on all documents ordered to be printed, whether the number delivered corresponds with the number ordered.

Mr. McWillie gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce a bill to repeal an act entitled an act to prevent the sacrifice of real estate sold under execution, decrees in Chancery, and deeds of trust, passed Feb'y. 14th, 1842.

Mr. Webb, from the committee on engrossed bills, made the following report.

MR. PRESIDENT.—The committee on Engrossed Bills, have examined a bill of the following title:

A bill to be entitled an act to amend an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15th, 1852, and for other purposes, and have found the same correctly engrossed.

Mr. Acker introduced a bill of the following title:

A bill to be entitled an act to incorporate the Aberdeen Cotton Gin Factory;

Which was read the first time and referred to a select committee of three.

The President appointed on said committee, Messrs. Acker, Cobb and McWillie.

Mr. Koger introduced the following resolution:

Resolved, by the Legislature of the State of Mississippi, That the Superintendent shall have the free use of the State Library for the use of the pupils in the Asylum for the benefit of the Blind.

Mr. Webb offered the following amendment :

Amend by inserting, " Subject to such restrictions as now govern those who have access thereto ;"

Which was adopted.

The resolution, as amended, was then adopted.

Mr. Cobb, from a select committee, made the following report :

MR. PRESIDENT.—The select committee to whom was referred the report of the Board of Trustees for Mississippi University, have considered the same, and after mature deliberation, have decided to report the same back to the Senate, with an earnest recommendation that the suggestions contained in the same be adopted;

Which was received and agreed to.

Mr. West called up printed bill of the following title :

A bill to be entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Rail Road, in the State of Mississippi, and for other purposes;

Which was read the first time, and referred to the committee on Internal Improvements.

Mr. Monroe introduced a bill of the following title :

A bill to be entitled an act for the preservation and safe keeping of the Records of the several counties in this State, and for other purposes;

Which was read the first time.

On motion of Mr. Monroe, the rule requiring bills to be read on three several days was suspended, and the bill read a second time by its title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Monroe, Ramsay and Hough.

Mr. Cobb moved to take up the orders of the day, which was a bill to be entitled an act to create in the University of Mississippi, a professorship of Governmental Science and Law, which,

On motion of Mr. Cobb, was made the order of the day for tomorrow at 11 o'clock.

Mr. Cobb moved to take up the resolutions introduced by himself, in relation to Federal Relations, which,

On motion of Mr. Cobb. was postponed until Monday, the 22nd inst.

On motion of Mr. Cobb, Mr. McWille was added to the select committee on the Governor's message, and Report of Prof. B. L. C. Wailes.

On motion of Mr. Webb, the joint resolution from the House of Representatives, in relation to appointing a committee to examine the late census returns, was taken up.

On motion of Mr. Webb, the blank in said resolution was filled with the number five.

The resolution as amended was then adopted.

The President appointed on said committee, Messrs. Greer, Alcorn, Beene, Ramsay and Stuart.

Mr. Stuart called up House bill of the following title :

A bill to be entitled an act to incorporate the Pearl River Bridge Company, at Monticello, in Lawrence county ;

Which was read the first time.

On motion of Mr. Stuart, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. Stuart, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Johnston called up engrossed bill of the following title :

A bill to be entitled an act to amend an act to incorporate the Deer Creek Slackwater Navigation Company, approved March 15th, 1852, and for other purposes ;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Bennett called up House bill of the following title :

A bill to be entitled an act to legalize the assessment rolls of Copiah county, and for other purposes.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Bennett called up House bill of the following title :

A bill to be entitled an act to amend an act entitled an act to provide for the management of schools and school funds in the county of Copiah, approved 16th March, 1852.

Which was read the first time.

On motion of Mr. Bennett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Bennett, the rule was further suspended, and the bill read the third time and passed.

Ordered that the title thereof be as stated.

Mr. Steele called up orders of the day—a bill to be entitled an act to incorporate Thomastown, in Leake county.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Webb from the committee on Engrossed bills, made the following report :

Mr. PRESIDENT—The committee on Engrossed bills, have examined a bill of the following title :

A bill to be entitled an act for the relief of Mississippi College, and have found the same correctly engrossed.

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, JANUARY 19, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles:

An act to authorize the Board of Police of Jackson county to meet and organize.

An act to legalize the assessment rolls of Carroll county.

An act to provide for the quieting of the land titles and to remedy the loss of evidence of title caused by the destruction by fire of the records of the Circuit and Probate Courts, and the record of deeds, in the county of Hancock.

Which are herewith presented to the Senate for the signature of the President.

Mr. Bennett presented the petition of sundry citizens of Smith county, which was referred to the committee on Propositions and Grievances.

Mr. Stuart, from the select committee to whom was referred the bill entitled an act to allow and confirm the provisions of the last will and testament of Thomas Y. Grinstead, deceased, late of Lawrence county, for the benefit of slaves—"Mary and her children"—made a report, substituting a bill for the original bill.

Mr. Stuart moved that the report of the substitute for the original bill be received;

Which motion was carried.

In order to test the sense of the Senate,

Mr. Stuart moved that the original bill be adopted, instead of the substitute:

Which motion was lost.

The substitute for the original bill was then read a first time by its title.

Mr. Stuart offered the following amendment:

Add after the words "reasonable time," "provided, however, they shall be removed within five years after the passage of this bill."

Mr. Greer moved to strike out the word "five" in the last line of the amendment, and insert the word "two;"

Which motion was carried.

The bill, as amended, was then read a second time, and ordered to be engrossed.

On motion of Mr. McWillie, leave of absence was granted to the Senator from Attala, Mr. Pope.

Mr. Reynolds called up printed bill of the following title:

A bill to be entitled an act to grant the right of way to the

Memphis and Charleston Rail Road Company, and for other purposes ;

Which was read the second time.

On motion of Mr. Greer,

The further consideration of the bill was postponed until Monday 23rd inst., at 12 o'clock, m.

Mr. Adams called up a bill of the following title :

A bill to be entitled an act for the relief of Mississippi College;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker, from a select committee made the following report :

MR. PRESIDENT.—The select committee to whom were referred a bill entitled an act to incorporate the manufacturing company in the town of Camargo, have had the same under consideration, and have instructed me to report back said bill without amendment, and recommend its passage.

Which was received and agreed to.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles :

An act to authorize the Board of Police of Jackson county to meet and organize.

An act to legalise the assessment rolls of Carroll county.

An act to provide for the quieting of land titles, and to remedy the loss of evidence of title by the destruction by fire of the records of the Circuit and Probate Courts, and the record of deeds in the county of Hancock, and have found the same correctly enrolled.

Mr. Cobb called up the order of the day—a bill to be entitled an act to create in the University of Mississippi a Professorship of Governmental Science and Law;

Was read the third time and passed.

Ordered, that the title thereof stand as stated :

Mr. Acker called up a bill of the following title :

A bill to be entitled an act for the relief of Robert D. Whitfield, of Monroe county ;

Which was read the second time, and ordered to be engrossed, and made the order of the day for to-morrow.

Mr. Arthur called up House bill of the following title :

A bill to be entitled an act to authorize Thomas Whaley to sell certain property of Wilhemina Savalle, Julia Savalle, Emma Savalle, and Louis Savalle.

Which was read the first time.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read the third time by title.

On motion of Mr. Arthur, the rule was further suspended, and the bill read a third time and passed.

Ordered, that the title thereof stand as stated.

Mr. McWillie gave notice that he would, on to-morrow or some subsequent day, ask leave to introduce a bill entitled a bill concerning Hutchinson's Manual of Forms.

The following message was received from the House of Representatives, by their Clerk, Mr. Russell.

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to incorporate the Octograde Seminary in the county of Yallobusha.

A bill to be entitled an act to incorporate Friendship Academy in the county of Panola.

A bill to be entitled an act to prohibit the sale of vinous and spiritous liquors, within the geographical limits of township No. 5, range No. 2 west, in the county of Hinds.

A bill to be entitled an act to incorporate Good Hope Academy in Leake county.

A bill to be entitled an act to regulate the working of public roads, and repairing of bridges, in the counties of Claiborne, Franklin, Jefferson, Warren and Wilkinson.

A bill to be entitled an act to amend an act for the relief of B. F. Allen.

A bill to be entitled an act to amend an act incorporating the Cold Water Baptist Female Seminary, approved February 20, 1852.

A bill to be entitled an act to limit the power of the Board of county police of Hancock county, in levying taxes in said county.

A bill to be entitled an act to authorize the Secretary of State to furnish the offices of the Clerks of the Probate and Circuit Courts of Hancock county with the State Reports, and such other books as are usually furnished to such offices by this State;

In which I am instructed to desire the concurrence of the Senate.

The Senate took up the orders of the day;

A bill to be entitled an act to provide compensation to the several Sheriffs of the State of Mississippi, in certain cases, and for other purposes;

Was read the first time.

A bill to be entitled an act in relation to the proceeds of the sale of estrays in the county of Jefferson,

Was read the first time.

A bill to be entitled an act for the relief of executors, guardians, administrators, &c.;

Was read the first time.

On motion of Mr. Acker, the bill was laid on the table.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The House of Representatives have concurred in the amendment made by the Senate to the following resolution:

Resolved, That the State Treasurer be, and he is hereby authorized to use in payment of warrants drawn on the Treasury, whatever amount of cash may be in the Treasury belonging to the Sinking Fund and Internal Improvement Fund: *Provided*, that the same shall be returned whenever the public revenue shall be sufficient for that purpose, after paying the expenses of the current year;

And have made the following amendment to the Senate's amendment, to-wit:

“Strike out all after the word “purpose,” and add “provided, further, that it shall be returned out of the taxes to be paid into the Treasury during the present year;

In which I am instructed to desire the concurrence of the Senate.

The Senate again proceeded to the consideration of the orders of the day;

A bill to be entitled an act in relation to landlord and tenant, in the city of Vicksburg, and the county of Warren;

Was read the first time.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

A bill to be entitled an act to amend an act entitled an act to reduce into one the several acts heretofore passed in relation to 16th sections and common schools, so far as relates to the county of Hinds, approved March 1st, 1850;

Was read the first time.

On motion of Mr. Adams, the bill was laid on the table.

A bill to be entitled an act to change the time of holding the Probate Court of the county of Wayne;

Was read the first time.

On motion of Mr. Graves, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, and the bill read the third time and passed,

Ordered, that the title thereof stand as stated.

A bill to be entitled an act for the purpose of granting ferry privileges to Johnson and Emerson ON'eal, in the county of Tunica;

Was read the first time.

On motion of Mr. Oliver, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title, and made the special order of the day for to-morrow.

A bill to be entitled an act to re-establish the fees of certain officers, so far as relates to Adams county; was read the first time.

On motion of Mr. Farrar, the rule was further suspended, and the bill read the third time and passed.

On motion of Mr. Farrar, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

Ordered, that the title thereof stand as stated.

A bill to be entitled an act to change the time of holding the Probate Court of Coahoma county; was read the first time.

On motion of Mr. Alcorn, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, and the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

A bill to be entitled an act to authorize the School Commissioners of Clarke county, to make and execute a good and valid lease to M. J. Sumrall, to certain lands therein named.

Was read the first time.

On motion of Mr. Hough, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, and the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Steele moved to dispense with the further orders of the day, for the purpose of taking up the House message, received this morning.

Pending which motion, on motion of Mr. Adams,

The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, JANUARY 20, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Burns.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act for the relief of the next of kin of Martin J. Malloy, deceased.

A bill to be entitled an act to incorporate the town of Crawfordsville, in the county of Lowndes, and for other purposes.

And have made amendments to said bills, in which the concurrence of the Senate is desired.

The House of Representatives have also passed a bill of the following title :

A bill to be entitled an act to provide for holding the Circuit and Probate and Vice Chancery Courts of this State.

In which I am instructed to ask the concurrence of the Senate.

The Speaker of the House of Representatives has signed bills of the following titles :

An act to amend an act entitled an act to provide for the management of schools and school funds, in the county of Copiah, approved 16th March, 1852.

An act to legalize the assessment rolls of Copiah county, and for other purposes.

An act to incorporate the Pearl River Bridge Company, at Monticello, Lawrence county.

Which are herewith presented to the Senate for the signature of the President.

Mr. Stuart presented the petition of Joseph Lemley, M.D., which was referred to the committee on Propositions and Grievances.

Mr. Adams presented the petition of Doctors Carolin and Mercier, which was referred to the committee on Propositions and Grievances.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills originating in the House of Representatives of the following titles :

An act to amend an act entitled an act to provide for the management of schools and school funds in the county of Copiah, approved 16th March, 1852.

An act to legalize the assessment rolls of Copiah county, and for other purposes.

An act to incorporate the Pearl River Bridge Company, at Monticello, Lawrence county.

And have found the same correctly enrolled.

Mr. Oliver introduced the following resolution, which was adopted :

Resolved, That the joint standing committee on the Penitentiary be directed to inquire into the expediency of providing, by law, for the removal of convicts from the several counties where convictions are had, under the charge of a sub-keeper and guard, detailed from the penitentiary, and at the expense of that institution.

Mr. Adams introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators, and guardians, and the rights of orphans and other representatives of deceased persons, approved Nov. 26, 1821 ;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title, and ordered to be engrossed, and made the order of the day for to-morrow.

Mr. Steele introduce a bill of the following title :

A bill to be entitled an act further to define the duties of the county treasurer, and commissioners of common schools of Chickasaw county ;

Which was read the first time.

On motion of Mr. Steele, the rule requiring bills to be read on three several days, was suspended, the bill read the second time, and made the order of the day for to-morrow.

Mr. Reynolds introduced a bill of the following title :

A bill to be entitled an act to amend the several acts heretofore in force in this State, granting commissions to guardians, executors, administrators, &c.;

Which was read the first time.

On motion of Mr. Reynolds, the rule requiring bills to be read on three several days, was suspended, the bill read the second time and referred to the Judiciary committee.

Mr. McWillie introduced a bill of the following title :

A bill to be entitled an act concerning Hutchinson's Manual of Forms ;

Which was read the first time.

On motion of Mr. McWillie, the rule requiring bills to be read on three several days, was suspended, the bill read the second time and referred to the Judiciary committee.

Mr. Allen introduced a bill of the following title :

A bill to be entitled, an act for the relief and benefit of the widow and heirs of John A. Hairston, deceased ;

Which was read the first time.

On motion of Mr. Allen, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Allen, Cobb, and Acker.

Mr. Adams called up bill with the following title :

A bill to be entitled an act for the relief of Herrin L. W. Walker, and others.

Mr. Adams moved to amend by striking out and inserting :

An act for the relief of certain minors therein named ;

Which was adopted.

Mr. McWillie offered an amendment thereto, which was adopted.

Mr. Arthur offered an amendment thereto, which was adopted.

On motion of Mr. Adams. the bill as amended, was ordered to be engrossed, and made the order of the day at 11 o'clock to-morrow.

Mr. Stuart called up the orders of the day.

A bill to be entitled an act to allow and confirm the emancipation of the woman slave, called Mary, and her children, according to the bequest and direction of the last will and testament of their former owner, the late Thomas Y. Grinstead, deceased, of Lawrence county ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Cobb called up Senate bill, as amended by the House of Representatives, incorporating the town of Crawfordsville, in Lowndes county.

On motion of Mr. Cobb, the Senate concurred in the amendments made by the House to the bill.

Mr. Hemingway introduce the following resolution, which was adopted:

Resolved, That the committee on the Judiciary be instructed to inquire into the term of office of Fleming L. Swann, as Superintendent of the Penitentiary, and to report at as early a day as practicable, at what time his term of office expires.

Mr. Johnson introduced a bill of the following title :

A bill to be entitled an act to regulate the Legislature of the State of Mississippi ;

Which was read the first time.

Mr. Oliver introduced the following resolution, which was adopted :

Resolved, That the committee on Education be instructed to inquire into the expediency of compelling the school commissioners of each county in this State, that have drawn moneys from the treasury on account of the common school and three per cent fund, to make a detailed account of the amount of money received by them, the number of children at school, the number of schools in each county, and the amount of tuition actually paid out by them ; and on failure so to do, the Auditor shall withhold his warrant on the Treasury, until the above provisions are complied with.

Mr. Oliver called up the order of the day ;

A bill to be entitled an act for the purpose of granting ferry privileges to Johnson and Emerson O'Neal, in the county of Tunica ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Cobb, from a select committee, made the following report :

MR. PRESIDENT—The select committee to whom was referred the special message of his Excellency, communicated to the Senate on the 17th inst., together with a manuscript copy of a scientific work by Prof. Wailes, of the geological department of the State University, and recommending the publication of the same, by authority of the Legislature, have had the same under consideration, and do earnestly advise that provision be made for carrying into effect his Excellency's recommendations.

The advantages to be derived from the free circulation of a work so eminently meritorious as this, under the patronage of the Legislature, cannot be questioned or easily calculated, for it will, in all likelihood prove to be the initiative step to great attainments in developing the scientific talent and resources of our State.— Science, in any of its branches, as we are taught by history, can never be successfully prosecuted, or made to subserve extended useful purposes, without adequate patronage; and in the absence of any incorporated scientific society or institution, possessed of the requisite means and influence to extend material aid in this respect, your committee are of opinion that such patronage should, as a matter of justice, as well as policy, be cheerfully and seasonably extended by the Legislature. The end for which this department of the State University was established can never be attained if assistance of this character shall be refused or grudgingly extended; and that benefit which is to be derived from the experience and labors of learned professors will be entirely cut off. The branch of science embraced and illustrated in this work has been too long neglected to admit of further delay in rendering the aid necessary to its proper development, if the Legislature design to promote beneficial and practical results.

With these views, and in conformity with the suggestions of his Excellency, your committee beg leave to report the accompanying bill, and do recommend that it be passed.

Which was received and agreed to, and the bill read the first time.

On motion of Mr. Cobb, the rule requiring bills to be read on three several days, was suspended, the bill read the second time, and ordered to be engrossed, and made the order of the day for Tuesday, the 24th inst.

The Senate resumed the consideration of the orders of the day.

A bill to be entitled an act for the relief of Robert D. Whitfield, of Monroe county;

Was read the third time and rejected.

On motion of Mr. Webb, leave of absence was granted to the Senator from Marion, Mr. Stuart.

The Senate again resumed the orders of the day, bills originating in the House of Representatives:

A bill to be entitled, an act to suppress tippling houses, in the county of Clarke, and for other purposes;

Was read the first time.

On motion of Mr. Hough, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to change the name of Epha Dealman, and for other purposes :

Was read the first time.

A bill to be entitled an act to incorporate the Natchez, Washington and Meadville Plank Road Company, and for other purposes ;

Was read the first time.

On motion of Mr. Farrar, the rule requiring bills to be read on three several days, was suspended, the bill read the second time, and referred to a select committee of three.

The President appointed on said committee, Messrs. Farrar, Greer, and Webb.

A bill to be entitled an act to change the name of Martha Ann Lewis, to the name of Martha Ann Beauchamp ;

Was read the first time.

A bill to be entitled an act to change the time of holding the Probate Court of Itawamba county ;

Was read the first time.

On motion of Mr. Beene, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title.

On motion of Mr. Beene, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, now in session, praying for a grant of public lands to the Mobile and New Orleans Railroad Company, and the other railroads ;

Was read.

Mr. Oliver moved to amend, by asking that the land be granted to the State, for the purpose of aiding the roads, giving the State stock in the roads to the amount of the value of the land, for the purpose of aiding, by the stock, other railroads, after the completion of the roads for which the lands are granted.

Mr. McWillie moved to amend the amendment, by striking out all after the word "roads," in the third line of the amendment.

Mr. Ramsay moved to lay the amendment upon the table ;

Which motion was adopted, by ayes and noes as follows :

AYES—Mr. President, Messrs. Adams, Acker, Arthur, Allen, Bennett, Berry, Cobb, Farrar, Greer, Graves, Hemingway, Johnston, Monroe, Ramsay, Reynolds, and West—17.

NAYS—Messrs. Banks, Beene, Hough, Koger, McWillie, Nelson, Oliver, Pegues, Steele, and Webb—10.

The memorial was then adopted.

A bill to be entitled an act to increase the salary of the Governor of this State ;

Was read the second time.

Mr. West moved to indefinitely postpone the consideration of the bill, which was lost, by ayes and noes, as follows:

YEAS—Messrs. Acker, Arthur, Beene, Banks, Cobb, Hemingway, Oliver, Ramsay, Reynolds, Steele, West, and Webb—12.

NAYS—Mr. President, Messrs. Adams, Allen, Bennett, Farrar, Greer, Graves, Hough, Johnston, Koger, McWillie, Monroe, Nelson, and Pegues—14.

On motion of Mr. Bennett,

The Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, JANUARY 21, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read and corrected.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act for the relief of Caroline C. Johnson, of Holmes county.

A bill to be entitled an act for the relief of the sheriff of Warren county, and for other purposes.

A bill to be entitled an act to incorporate the Monroe Female Institute, in the town of Aberdeen.

A bill to be entitled an act to authorize and empower the Chancellor and Vice Chancellor to take the acknowledgement of deeds, and for other purposes.

Which are herewith transmitted to the Senate.

And have passed a House bill with the following title:

A bill to be entitled an act to repeal Article 9, of Chapter 53, Hutchinson's Code.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the joint resolution of the Senate, appointing a committee of five on the part of the Senate, and — on the part of the House, to report for the consideration of the Legislature, by way of amendment, such alteration in the constitution, as they may deem expedient and wise, or to report a bill calling a convention to revise the said constitution, and have filled the blank in said resolution with the number "7."

The committee appointed on the part of the House, are,

Messrs. Hamer, Holder, Monet, Covington, Newman, Shackelford, and Rozell.

The House of Representatives have given leave to the introduction of a bill to be entitled an act for the further protection of securities in this State.

The Speaker of the House of Representatives has signed enrolled bills of the following titles :

An act to authorize the school commissioners of Clark county to make and execute a good and valid lease to M. J. Sumrall, to certain lands therein named.

An act to change the time of holding the Probate Court of Coahoma county.

An act to re-establish the fees of certain officers, so far as relates to Adams county.

An act to change the time of holding the Probate Court of the county of Wayne.

An act to authorize Thomas Whaley to sell certain property of Wilhelmina Savalle, Julia Savalle, Louis Savalle, and Emma Savalle, minors.

Which are herewith presented to the Senate, for the signature of the President.

Mr. Webb, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have examined House bills of the following titles :

An act to authorize the school commissioners of Clark county to make and execute a good and valid lease to M. J. Sumrall, to certain lands therein named.

An act to change the time of holding the Probate Court of Coahoma county.

An act to re-establish the fees of certain officers, so far as relates to Adams county.

An act to authorize Thomas Whaley to sell certain property of Wilhelmina Savalle, Julia Savalle, Louis Savalle, and Emma Savalle, minors.

An act to change the time of holding the Probate Court of the county of Wayne.

And have found the same correctly enrolled.

Mr. Pegues presented the petition of sundry citizens of Lafayette county, which was referred to the committee on Propositions and Grievances.

Mr. Alcorn presented the petition of James M. Halbert and Erastus B. Strong, which was referred to the Judiciary committee.

Mr. Beene, from the Judiciary committee, made the following report :

MR. PRESIDENT—The committee on the Judiciary have instructed me to report back to the Senate,

A bill to be entitled an act to make Eliza Robb, Ann House, and John F. House, jr., co-heirs of Delilah House ;

And ask to be discharged from the further consideration of the same.

Which was received and agreed to.

On motion of Mr. West, the rule requiring bills to be read

on three several days, was suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Acker, from the committee on Internal Improvements made the following report :

MR. PRESIDENT—The select committee on Internal Improvements, made the following report :

MR. PRESIDENT—The standing committee on Internal Improvements, to whom was referred,

A bill to be entitled an act to amend an act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson, and Great Northern Railroad Company, approved March 11, 1852,

Have instructed me to report the same back to the Senate with an amendment, and recommend its passage : which was received.

Mr. Berry moved to amend the second section of said bill, with the following amendment :

Add, after the word “acres,” in the second section—“Provided, that all over five acres shall be obtained by private purchase, upon such terms as may be agreed upon by the respective parties ;”

Which was adopted, and the report of the committee as amended, was agreed to.

On motion of Mr. Berry, the amendment of the committee, as amended, was adopted.

Mr. Adams moved to strike out the third section of the bill,

Which was decided in the negative, by ayes and noes as follows :

AYES—Mr. President, Messrs. Adams, Alcorn, Arthur, Beene, Bennett, Cobb, Farrar, Greer, Monroe, and Oliver—11.

NAYS—Messrs Acker, Allen, Banks, Berry, Hemingway, Johnston, Koger, McWillie, Pegues, Reynolds, Steele, West and Webb—13.

Mr. Adams moved to amend the third section of the bill, by inserting, after the word “nothing,” in the 6th line, the words “to the owner or owners ;”

Which was adopted, and the bill ordered to be engrossed, and made the order of the day for Tuesday, the 24th inst.

Mr. Acker, from the same committee, made the following report :

MR. PRESIDENT—They have also had under consideration,

A bill to be entitled an act granting pre-emption rights to actual settlers upon the swamp and overflowed lands, granted to the State of Mississippi, by act of Congress of the 28th Sept. 1850 ;

Have made an amendment thereto, and have instructed me to report back said bill, as amended, and recommend its passage.

Which was received.

Mr. Bennett moved to amend the amendment of the committee, by striking out the words, “three months,” where they occur, and insert “six months ;”

Which was adopted, and the report of the committee, as amended, was agreed to.

The bill was ordered to be engrossed, and made the order of the day for Tuesday, the 24th inst.

On motion of Mr. Greer, the vote taken on yesterday, upon the bill for the relief of Robert D. Whitfield, was re-considered, and the bill then passed, by ayes and noes as follows :

AYES—Mr. President, Messrs. Adams, Acker, Arthur, Allen, Beene, Bennett, Banks, Cobb, Hough, Johnston, Monroe, Ramsay, Reynolds, Steele, and Webb—16.

NAYS—Messrs. Alcorn, Greer, Hemingway, Koger, McWillie, Oliver, and Pegues—7.

Mr. McWillie gave notice that he would, on Monday, ask leave to introduce a bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved the 10th of February, 1844, so far as relates to the county of Madison.

Mr. Webb, from the committee on Enrolled Bills made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, the following bills :

An act to legalize the assessment rolls of Covich county, and for other purposes.

An act to amend an act entitled an act to provide for the management of schools and school funds, in the county of Covich, approved 16th March, 1852.

An act to authorize the Board of Police of Jackson county to meet and organize ;

An act to provide for the quieting of the land titles, and to remedy the loss of evidence of title caused by the destruction, by fire, of the records of the Circuit and Probate Courts, and the records of deeds, in the county of Hancock.

An act to incorporate the Pearl-river Bridge Company, at Monticello, in Lawrence county.

Mr. Webb introduced the following resolution, which was adopted :

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so altering an act entitled an act to secure the collection of taxes on delinquent lands, and for other purposes, approved March 9, 1850, as to have said lands redeemable at the Probate clerks' office in each county in the State, instead of at the Auditor's office.

Mr. Arthur introduced the following resolution, which was adopted.

Resolved, That the joint standing committee on the Penitentiary be instructed to inquire into the expediency, and if they deem it expedient, to report a bill regulating the sales of all the manufactured articles, and other property of the State, and the receipt of

all moneys arising from the labor of convicts, to which reference has been made in the report of the Superintendent; providing proper checks upon all officers of said institution, who may receive public money.

Mr. Hemingway gave notice that he would, on Monday, move a reconsideration of the vote taken upon the memorial to Congress in relation to the Mobile and New Orleans Railroad.

On motion,

The Senate adjourned until to-morrow morning 10 o'clock A. M.

MONDAY, JANUARY 23, 1854.

The Senate met pursuant to adjournment,

The Journal of Saturday was read.

MR. PRESIDENT.—The joint standing committee on Enrolled Bills have this day presented to His Excellency, the Governor of the State, the following bills for his signature :

An act to authorize Thos. Whaley, to sell certain property of Milhelmine Savalle, Julia Savalle, Louis Savalle and Emma Savalle, minors.

An act to change the time of holding the Probate Court of the county of Wayne.

An act to re-establish the fees of certain officers so far as relates to Adams county.

An act to change the time of holding the Probate Court of Coahoma county.

An act to authorize the School Commissioners of Clark county to make and execute a good and valid lease to M. J. Sumrall to certain lands therein named.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to relinquish to the Government of the United States, title and jurisdiction over a lot of ground as a site for the erection of a Light House, at the mouth of the Pascagoula river.

A bill to be entitled an act to relinquish to the United States jurisdiction over a lot of ground for the erection of a Military Asylum at East Pascagoula, Jackson county, State of Mississippi.

A bill to be entitled an act to amend an act to incorporate the town of Liberty in the county of Amite.

A bill to be entitled an act for the relief of George K. Morton, Probate Judge of Coahoma county.

A bill to be entitled an act to authorize the Assessor and Tax

Collector of Covington county to reassess the taxes for said county, and collect the same for the year 1853.

A bill to be entitled an act to incorporate the town of French Camp, in the county of Choctaw and for other purposes.

A bill to be entitled an act to authorize the President and Selectmen of the town of Shieldsboro' to raise a special tax on the real estate within said town.

A bill to be entitled an act to incorporate the town of Clinton.

A bill to be entitled an act to incorporate the officers and members of Mount Salus Lodge, No. 42, of the I. O. O. F., of the town of Clinton, Hinds county.

A bill to be entitled an act for the relief of William Thomas and Jackson Pitchford, executors of Augustus Pitchford, late of Holmes county.

A bill to be entitled an act to amend an act in relation to 16th sections and common schools, in Issaquena county, approved Feb. 5, 1852.

A bill to be entitled an act to increase and change the terms of the Probate Court of Issaquena county, and to increase the compensation of the judge of said Court.

A bill to be entitled an act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved Feb'y. 27, 1836.

A bill to be entitled an act to amend an act to reduce the fees of certain officers therein named, approved Feb. 10, 1844, so far as the same relates to the county of Lowndes.

A bill to be entitled an act for the relief of E. R. Porter.

A bill to be entitled an act to authorize the Board of Police of Madison county to distribute the School Fund subject to distribution in the hands of the Treasurer of said county.

A bill to be entitled an act to amend the 7th section of an act passed on the 26th February, 1842, in relation to free negroes and mulattoes, so far as relates to the county of Madison.

A bill to be entitled an act to remove the civil disabilities of Christopher C. Coleman, and Wm. S. Noble, minors, of Madison county.

A bill to be entitled an act to repeal an act entitled an act to incorporate the Columbia Academy in the county of Marion, and for other purposes.

A bill to be entitled an act to promote common schools in the several counties in this State, approved March 9, 1850, so far as the same relates to the county of Neshoba.

A bill to be entitled an act to repeal an act consolidating the office of Assessor and Collector of Taxes, and making the Sheriff, ex-officio Assessor of taxes so far as relates to the county of Neshoba.

A bill to be entitled an act for the benefit of 16th sections in the county of Noxubee.

A bill to be entitled an act to repeal an act, passed March 4, 1850, in relation to the town of Holmesville, in Pike county.

A bill to be entitled an act to amend an act to establish a system of common schools in the counties of Newton and Clarke, approved March 10th, 1852, so far as the same relates to the county of Newton.

A bill to be entitled an act to incorporate the officers and members of White Plains Lodge, No. 191, of Free and Accepted Masons, in the county of Newton;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendments made by the Senate to House bills of the following titles :

A bill to be entitled an act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15, 1852, and for other purposes.

A bill to be entitled an act to change the time of holding the Probate Court of Holmes county.

The following report was received from the State Treasurer :

STATE TREASURY,
Jackson, Jan. 20, 1854. }

To the Hon. the Senate of the State of Mississippi :

In answer to your resolution of the 18th ult, "that the Treasurer be instructed to inform the Senate what amount of money has been paid out of the Treasury, from first to last, in locating the five hundred thousand acres of Internal Improvement Land, and also, what amount of expense has been incurred in locating the Chickasaw School Lands," &c.

I have to say, that I have examined the books of this office, and find that the following amounts were expended in locating State lands :

Up to the 20 March, 1843.....	\$260 00
Up to May, 1843.....	660 00
From July, 1843, to February, 1844.....	1,150 00
From February, 1844, to February, 1845.....	4,398 80
From February, 1845, to September, 1845.....	8,183 13
During the year 1846.....	50 00
During the year 1848.....	108 00
During the year 1849.....	528 00
During the year 1850.....	1,262 00
During the year 1853.....	162 00
	\$16,761 93

The last item is in 1853, as above stated.

The following amounts were expended in locating Chickasaw School Lands :

In 1843, and up to 29th February, 1844.....	\$660 00
From March, 1844, to February, 1845.....	4,397 64
From March, 1845, to September, 1845.....	3,180 00
In the year 1848.....	25 00

Total..... \$8,262 64

No entry since 1848, as above.

In 1848 money began to be paid in on State lands, and on Chickasaw School Lands, (as appears from the books,) and the then State Treasurer raised on his book the heads of "Internal Improvement Fund Department," and "Chickasaw School Fund Department," and since that time balances have been regularly struck every year, between the debtor and creditor sides. I presume, therefore, that the above statements cover all the expenditures of the State on behalf of those lands respectively, which have not been reimbursed.

You will see by reference to my report, what amounts there were to the credit of those Funds respectively, on the first day of this month.

I am, with the highest respect,

SHIELDS L. HUSSEY,

State Treasurer.

Which was read, and two hundred copies ordered to be printed.

Mr. Webb, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT.—The joint standing committee on Enrolled Bills have this day examined House bills of the following titles :

An act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15th, 1852, and for other purposes.

An act to change the time of holding the Probate Court of Holmes county.

An act to change the time of holding the Probate Court of Itawamba county.

An act to suppress tippling houses in the county of Clark, and for other purposes.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying for a grant of public lands in the State of Mississippi, to the Mobile and New Orleans Rail Road Company. And have found them correctly enrolled.

On motion of Mr. McWillie, the bill to be entitled an act for the relief of Lydia Parmelee, of Madison county, was referred to the Judiciary committee.

Mr. Cobb presented the petition of Elizabeth A. Long, with a bill for her relief; which was read the first time.

On motion of Mr. Cobb, the rule requiring bills to be read on three several days, was suspended, the bill read the second time, and referred to the Judiciary Committee.

Mr. Acker, from the committee on Internal Improvements, made the following report :

MR. PRESIDENT.—The standing committee on Internal Improvements, to whom was referred a bill to be entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Rail Road in the State of Mississippi, and for other purposes, have had the same under consideration, have amended the same by striking out from the enacting clause, and inserting a new bill effecting the same objects, and have instructed me to report back to the Senate the said bill as amended and recommend its passage.

Which report was received and agreed to, and the bill laid on the table, and two hundred copies ordered to be printed, and made the special order of the day for Wednesday, the 25th inst.

Mr. Webb, from the committee on Engrossed bills, made the following report :

MR. PRESIDENT.—The committee on Engrossed bills have examined bills of the following titles, to-wit :

An act to amend an act entitled an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans and other representatives of deceased persons, approved Nov. 26th, 1821.

A bill to be entitled an act for the relief of certain minors therein named.

An act to authorize the printing of the first annual report of the Agricultural and Geological survey of the State, and have found the same correctly engrossed.

Mr. Koger gave notice, that he would on to-morrow ask leave to introduce the following bills :

A bill to be entitled an act to exempt 100 bushels of corn from levy and sale.

A bill to be entitled an act to remove the sittings of the Court of Equity from Columbus to Macon, in Noxubee county.

Mr. Greer introduced a bill of the following title :

A bill to be entitled an act to change the name of Jane Elvira Harris to that of Jane Elvira Deaver.

Which was read the first time.

On motion of Mr. Greer, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, and the bill read a third time, and passed.

Ordered, that the title stand as stated.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to change the title of an act entitled an act supplemental to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved March 16th, 1852;

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days was suspended, and the bill read a second time by title.

On motion of Mr. Acker, the rule was further suspended, and the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay introduced a bill of the following title :

A bill to be entitled an act supplementary to an act entitled an act to amend an act entitled an act to prevent the destruction of oysters in the waters of the State of Mississippi;

Which was read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

Ordered to be engrossed and made the order of the day for tomorrow.

Mr. Adams, from the Judiciary committee, made the following report :

MR. PRESIDENT—The Judiciary committee have had under consideration a bill entitled :

An act to amend the Constitution by holding elections on the first Monday in October, and for convening the Legislature on the first Monday in November—and as they are unable to see any benefit to result from the passage of such an act, they have instructed me to recommend that the bill do not pass.

Which was received and laid on the table, and the bill referred to the committee raised to report by bill or otherwise on amendments to the constitution.

Mr. Adams from same committee, made the following report :

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill entitled :

An act to amend the Constitution of the State of Mississippi, which provides that the term of all offices in this State, Executive, Legislative and Judicial, shall expire on the first Monday in January after every election. As uniformity in this respect is desirable, the committee have instructed me to report the bill back to the Senate and recommend its passage;

Which report was received and laid on the table.

Mr. Adams, from the same committee made the following report :

MR. PRESIDENT.—The Judiciary committee have had under consideration—

A bill entitled an act to change the time of electing county officers, and have instructed me to report that they do not deem it ex-

pedient to pass said bill. They, therefore, recommend that it do not pass.

Which report was received and agreed to.

Mr. Adams from the same committee, made the following report :

MR. PRESIDENT.—The committee on the Judiciary have had under consideration—

An act concerning Hutchinson's Manual of Forms, and have instructed me to report the same back with sundry amendments, and to recommend that the bill as amended do pass.

Which report was received and agreed to.

Mr. Adams from same committee made the following report :

MR. PRESIDENT.—The Judiciary committee, who have had under consideration an act entitled :

A bill for the benefit of married women; have instructed me to report, that in their opinion, sufficient benefits are secured to married women by the existing laws in force in this State ; that the provision in said bill entitling the wife to one-half of the estate acquired by the *joint* industry of the husband and wife, during coverture, would be impolitic as a law, as they fear it would lead to grave doubts as to what would be properly considered the proceeds of the *joint* labors of the parties.

The committee, therefore, recommend that the bill do not pass.

Which was received, and on motion of Mr. Koger, the consideration of the bill was postponed until to-morrow.

Mr. Farrar, from a special committee, made the following report :

MR. PRESIDENT.—The special committee to whom was referred the bill to incorporate the Natchez, Washington and Meadville Plank Road, have had the same under consideration, and instructed me to report the bill back and recommend its passage with the following amendment :

Insert after the word "*county*" in the eleventh line, the words "*of Franklin.*"

Which report was received and agreed to, the bill ordered to be engrossed, and made the order of the day for to-morrow.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to authorize and provide for the transcribing the records of the Circuit and Probate Courts of Wayne county.

A bill to be entitled an act granting leave of absence from this State to the Hon. Stanhope Posey, Circuit Judge of the first Judicial District, and for other purposes.

A bill to be entitled an act to increase the per diem allowance of Police members and Judge of Probate of Simpson county.

A bill to be entitled an act to change the name of Ella Moore to that of Ella Biggs, and for other purposes.

A bill to be entitled an act to grant to the Board of Police of Tippah county certain powers therein named.

A bill to be entitled an act for the relief of Parthena E. Wheeler, and her children.

A bill to be entitled an act to authorize the Probate Court of Winston county to order the sale of the slaves of Malinda Duncan, a lunatic, of said county, in the hands of Willis Kelly, her guardian.

A bill to be entitled an act to incorporate the Yazoo City Insurance Company.

A bill to be entitled an act to amend an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company.

A bill to be entitled an act to increase the per diem of members of the Board of Police of Claiborne county.

A bill to be entitled an act providing the manner in which teachers of common schools in the county of Copiah shall present their claims, and for other purposes,

A bill to be entitled an act for the relief of Joanna Garroway.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed Senate bill, entitled

An act to allow and confirm the emancipation of the woman slave called Mary, and her children, according to the bequest and directions of the last will and testament of their former owner, the late Thos. Y. Grinstead, deceased, of Lawrence county;

And have amended the same.

In which the concurrence of the Senate is desired.

The Speaker of the House of Representatives has signed bills of the following titles :

An act to change the time of holding the Probate Court of Itawamba county.

An act to change the time of holding the Probate Court of Holmes county.

An act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15th, 1852, and for other purposes.

An act to suppress tippling houses in the county of Clark, and for other purposes.

Also, a memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying for a grant of public lands in the State of Mississippi to the Mobile and New Orleans Rail Road Company ;

Which are herewith presented to the Senate for the signature of the President.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act to change the name of Cornelia Martha Boyle, to that of Cornelia Hill, and for other purposes.

Which was read the first time.

On motion of Mr. Alcorn, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. Alcorn, the rule was further suspended, and the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pegues moved to take up the resolution from the House of Representatives, in relation to the Trust Funds.

Mr. West moved to lay the resolution, as amended by the House of Representatives, on the table;

Which was lost.

Mr. Alcorn offered the following amendment :

Amend the amendment of the House as follows : After the proviso, by them incorporated, add, "and that the operation of this resolution be postponed until the first day of February, 1856."

Mr. Berry moved to lay the amendment on the table, which was carried.

Mr. Adams offered the following amendment :

Amend after conclusion, provided, that no portion of such funds, for which a demand has been made, and is now pending before the Courts or Treasury Department, shall be paid out for any other purpose, until the right of any party so demanding any portion of such fund shall be determined against the party or parties so claiming or demanding.

Mr. Berry moved to lay the amendment on the table, which was decided in the affirmative by ayes and noes, as follows :

AYES—Mr. President, and Messrs. Acker, Allen, Beene, Bennett, Banks, Berry, Greer, Hough, Koger, McWillie, Monroe, Nelson, Pegues, Ramsay, Reynolds, Steele and Webb—18.

NOES.—Messrs. Adams, Alcorn, Cobb, Farrar, Hemmingway, Johnston, Oliver and West—8.

Mr. Adams offered the following amendment :

Amend by adding to conclusion, provided, further, that the Treasurer shall keep an account of such portions of said funds as may be used, and shall charge the State with interest thereon, at the rate of eight per cent. per annum, for the time that such funds are so used.

Mr. Greer moved to lay the amendment on the table, which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Acker, Beene, Bennett, Banks, Berry, Greer, Hemmingway, Hough, Monroe, Pegues, Ramsay, Reynolds, Steele and Webb—15.

NAYS—Messrs. Adams, Alcorn, Allen, Cobb, Farrar, Johnston, Koger, McWillie, Nelson, Oliver and West—11.

The previous question being called for, the President stated :

Shall the main question now be put ?

And the resolution, as amended by the House, was passed by ayes and nays as follows :

AYES—Mr. President, Messrs. Alcorn, Acker, Beene, Bennett, Banks, Berry, Farrar, Greer, Hemingway, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele and Webb—22.

NAYS—Messrs. Adams, Allen, Cobb and West—4.

By leave of the Senate, Mr. Adams was permitted to place upon the journals the following explanation :

The undersigned being opposed to the passage of the resolution authorizing the Treasurer to pay out the Trust Funds in every form, voted against the amendment of the House on the motion to concur in the Senate, as the only means left them to defeat the entire proposition. They regard the House amendment as less objectionable than that of the Senate.

This explanation is allowed to be entered upon the minutes by consent of the Senate, in order that the vote of the undersigned, on said amendment of the house may be understood.

DAN. W. ADAMS,
JOSEPH B. COBB,
A. M. WEST,
H. ALLEN, JR.

On motion,

The Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, JANUARY 24, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed a bill with the following title :

A bill to be entitled an act to incorporate the Baptist Church at Enterprize, Clark county, Miss.

In which I am instructed to ask the concurrence of the Senate.

Mr. Berry presented the petition of H. W. Stricklin, with a bill to be entitled an act to authorize the overseers of the poor of Tippah county, to sell the land upon which the poor house is now situated, in said county, and to buy other land in lieu thereof, for the location of a poor house.

Which was read the first time.

On motion of Mr. Berry, the rule requiring bills to be read on three several days, was suspended, the bill read a second time by its title.

On motion of Mr. Berry, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Pegues presented the petition of sundry citizens of Lafayette

county, which was referred to the committee on Propositions and Grievances.

Mr. Beene presented the petition of sundry citizens of Pontotoc and Itawamba counties, which was referred to a select committee of three.

The President appointed, on said committee, Messrs. Beene, Webb, and Reynolds.

Mr. Webb presented the petition of A. Cole, and others, of Pontotoc county, which was referred to the committee on the Judiciary.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed an enrolled bill of the following title :

An act to make Eliza Robb, Ann House, and John F. House, Jr., co-heirs of Delilah House.

Also, a resolution in relation to the State Treasurer using, in payment of warrants drawn on the Treasury, certain trust funds therein named.

Which are herewith presented to the Senate, for the signature of the President.

The House of Representatives, have passed a bill with the following title :

A bill to be entitled an act to amend an act entitled an act concerning conveyances, approved June 13, 1822.

In which I am instructed to desire the concurrence of the Senate.

The Senate then proceeded to the consideration of the orders of the day, the bill to be entitled an act to grant the right of way to the Memphis and Charleston Railroad Company, and for other purposes.

Mr. Reynolds offered the following amendment, which was adopted :

In section 4th, amend by striking out all after "them," in the 9th line, and 2d page, down to "way," inclusive, in the 15th line.

Mr. West offered the following amendment.

Amend by adding, after the word "requirements," at the conclusion of sec. 1, the following provisions :

"And subject to the following conditions, that is to say : That the said Memphis and Charleston Railroad Company shall first subscribe for the sum of \$125,000 of the stock of the Mississippi Central Railroad Company, and for the further sum of \$50,000 of the stock of a company to be chartered and organized, for the purpose of constructing a rail or plank road from Ripley, in the county of Tippah, either to some point on the line of the Memphis and Charleston Railroad, or on the line of Mississippi Central Railroad, as the same may be determined by the stockholders, of such proposed rail or plank road company ; and, further, that the said Memphis and Charleston Railroad Company, shall suffer and permit

the said Mississippi Central Railroad Company to transport over the line of the Memphis and Charleston road, from Memphis to the point of intersection of the Memphis and Charleston with the Mississippi Central Railroad, 5,000 tons of iron rails, without charge therefor; the said Mississippi Central Railroad Company employing and furnishing all the locomotives, cars, machinery and labor requisite for the transportation of said quantity of iron rails; and, further, that the provisions of the 13th section of an act, entitled an act to incorporate the Mississippi Central Railroad Company, approved March 10, 1852, shall be binding and obligatory on the said Memphis and Charleston Railroad Company, in regard to the transportation, upon the road of said company, of the full freighted cars of the said Mississippi Central Railroad Company.

Sec. 2. *Be it further enacted*, That the several subscribers for stock in the Memphis and Charleston Railroad Company, who reside in the State of Mississippi, shall be permitted, at their election, to transfer the amount of their respective unpaid subscriptions for said stock, to subscriptions for stock in the said Mississippi Central Railroad Company, with the assent of the said last named company; and the amount of such subscriptions, so transferred, shall be a payment and discharge, to that extent, of the said subscription of \$125,000 above provided for.

Sec. 3. *Be it further enacted*, That if no rail or plank road company shall be chartered and organized for the purpose of constructing a road from Ripley, as above indicated, by the first day of March, 1856, the said Memphis and Charleston Railroad Company shall be released from the performance of the foregoing condition, requiring a subscription of \$50,000 to the stock of said proposed company."

Pending the discussion, Mr. Johnston moved that the Senate adjourn until to-morrow morning 10 o'clock;

Which was lost.

On motion of Mr. Webb, the Senate adjourned until 3 o'clock p.m.

EVENING SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. West having the floor, proceeded to discuss the question of the amendments offered by himself, when,

On motion of Mr. Berry,

The Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 25, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Drane, the Senator elect from Choctaw county, appeared, presented his credentials, took the oath of office, and took his seat.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was laid on the table :

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of Doctors Mercier and Carolin, have had the same under consideration, and instructed me to report, that in their opinion, the prayer of the petitioners should not be granted.

Mr. Berry from the same committee, made the following report, which was received:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of Dr. Joseph Lemly, have had the same under consideration, and have instructed me to report, that in their opinion the prayer of the petitioner should not be granted :

Mr. Berry, from the same committee, made the following report :

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of J. E. Montgomery and others, citizens of Lowndes county, have had the same under consideration, and instructed me to report by bill.

Which was received, and the bill read the first and second time, ordered to be engrossed, and made the order of the day for tomorrow.

Mr. Berry, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on Propositions and Grievances, to whom the petition of J. H. Redwine was referred, have had the same under consideration, and have instructed me to report, that the prayer of the petitioner cannot be granted by the Legislature, consistently with the constitution of the State.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—The committee on Engrossed Bills, have examined bills of the following titles :

A bill to be entitled an act to amend an act granting the right of way through the State of Mississippi, and other privileges to the New Orleans Jackson and Great Northern Railroad Company, approved March 11, 1852.

A bill to be entitled an act granting pre-emption rights to actual settlers upon the swamp and overflowed lands, granted to the State of Mississippi, by act of Congress of the 25th Sept. 1850.

A bill to be entitled an act supplementary to an act entitled an act to amend an act entitled an act to prevent the destruction of Oysters in the waters of the State of Mississippi, approved Feb. 17, 1848.

Mr. Webb, from the committee on Enrolled Bills, made the following reports :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined a Senate bill of the following title :

A bill to be entitled an act to incorporate the town of Crawfordsville, in the county of Lowndes, and for other purposes.

And have found the same correctly enrolled.

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to make Eliza Robb, Ann House, and John F. House, Jr., co-heirs of Delilah House.

A resolution in relation to the State Treasurer's using in payment of warrants drawn on the Treasury, certain trust funds therein named.

And have found the same correctly enrolled.

MR. PRESIDENT—The joint standing committee on Enrolled Bill, have this day examined bills of the following titles :

An act to authorize and empower the Chancellor and Vice Chancellors to take the acknowledgment of deeds, and for other purposes.

An act for the relief of Caroline C. Johnson, of Holmes county, And find them correctly enrolled.

Mr. Webb, from the committee on Enrolled Bills, made the following reports :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, for his signature, bills of the following titles :

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, now in session, praying for a grant of public lands in the State of Mississippi, to the Mobile and New Orleans Railroad Company.

An act to suppress tippling houses in the county of Clark, and for other purposes.

An act to change the time of holding the Probate Court of Itawamba county.

An act to change the time of holding the Probate Court of Holmes county.

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, for his signature, bills of the following titles :

An act to amend an act entitled an act to incorporate the Deer Creek Slack Water Navigation Company, approved March 15th, 1852, and for other purposes.

An act to make Eliza Robb, Ann House, and John F. House, Jr., co-heirs of Delilah House; and a

Resolution in relation to the State Treasurer's using in payment of warrants, drawn on the Treasury certain trust funds therein named.

Mr. Acker from a select committee, made the following report :

MR. PRESIDENT—The select committee to whom was referred a bill entitled an act to incorporate the Aberdeen Cotton Gin Factory, have had the same under consideration, have amended the same by striking out the 10th section, and have instructed me to report the bill, as amended, for the consideration of the Senate.

Which was received and agreed to; and,

On motion of Mr. McWillie, the consideration of the bill was indefinitely postponed.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act for the relief of Caroline C. Johnson, of Holmes county.

An act to authorize and empower the Chancellor and Vice Chancellors to take the acknowledgement of deeds, and for other purposes.

An act to incorporate the town of Crawfordsville, in the county of Lowndes, and for other purposes.

Which are herewith presented to the Senate, for the signature of the President.

Mr. Ramsay, from the select committee, made the following report, which was received and agreed to, and the bill read the first time :

MR. PRESIDENT—The select committee to whom was referred the bill to be entitled,

An act for the preservation and safe keeping of the records of the several counties of this State, and for other purposes ;

Have had the same under consideration, and have instructed me to report an amended bill, as a substitute for the original, which is herewith submitted, and recommend the passage of the same.

Mr. Oliver gave notice that he would, on to-morrow, or some future day introduce a bill to be entitled an act to repeal an act to designate in what courts suits may be brought against the State of Mississippi, approved 15th Feb. 1833.

Mr. West moved that the Senate take up the bill in relation to the Memphis and Charleston Railroad ;

Which was lost.

Mr. Nelson, from a select committee made the following report :

MR. PRESIDENT—The select committee, to whom was referred the petition of sundry citizens of Pike county, have had the same under consideration, and have instructed me to report by bill, and recommend its passage.

Which was received and agreed to, and the bill read the first time.

On motion of Mr. Nelson, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time, and ordered to be engrossed, and made the special order of the day for Friday the 27th inst.

Mr. Steele introduced a bill of the following title :

A bill to be entitled an act further to extend the corporate limits of the town of Okolona, in the county of Chickasaw, and for other purposes.

Which was read the first time.

On motion of Mr. Steele, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. McWillie introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act, reducing the fees of certain officers therein named, approved the 10th of February, 1844, so far as relates to the county of Madison.

Which was read the first time.

On motion of Mr. McWillie, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title, and referred to the Judiciary committee.

Mr. McWillie introduced a bill of the following title :

A bill to be entitled an act to repeal an act entitled an act to prevent the sacrifice of real estate sold under executions, decrees in Chancery, and deeds of trust, passed 28th Feb, 1842, and to regulate sheriff's sales of real estate ;

Which was read the first time.

On motion of Mr. McWillie, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title, and referred to the Judiciary committee.

Mr. Koger introduced a bill of the following title :

A bill to be entitled an act to exempt one hundred bushels of corn from levy and sale under execution ;

Which was read the first time.

On motion of Mr. Koger, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

Mr. Ellett offered the following amendment, which was adopted :

Amend by adding—Which shall descend, as now provided by law in relation to other property exempt from execution.

Mr. Monroe offered the following amendment :

Provided, that nothing herein contained, shall apply to debts now contracted.

Which, on motion of Mr. Alcorn, was laid on the table.

Mr. West offered the following amendment :

Strike out all after the enacting clause, and insert the following:

That hereafter every head of a family shall retain, free from execution, \$1,000 worth of such personal property, as he or she may select, free from execution or attachment.

Sec. 2. *Be it further enacted*, That should any judgment creditor have reason to believe that his debtor is retaining, under the aforesaid provision, property to a greater amount than is therein provided for, such creditor may make affidavit of the fact before any justice of the peace, and file the same with the sheriff, whereupon it shall be the duty of said sheriff to summon three freeholders of the county wherein said debtor resides, to value said property, and if, on such valuation, it shall appear to be of greater value than as aforesaid, so much as is above such value shall be liable to the execution of said creditor, provided that the debtor shall have the privilege of selecting the portion to be so liable as aforesaid.

Sec. 3. That this act shall only apply to such debts as shall be contracted subsequent to its passage, and all laws or parts of laws inconsistent with this act, are hereby repealed, and that this act shall take effect and be in force from and after its passage.

On motion of Mr. West, the bill and amendments were referred to the committee on the Judiciary.

Mr. Arthur called up House bill with the following title:

A bill to be entitled an act for the relief of E. R. Porter;

Which was read the first time.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time.

On motion of Mr. Arthur, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger introduced the following resolution, which was adopted.:

Resolved, That the committee on Public Buildings be and they are hereby instructed to employ an architect to survey and examine the south end of the Capitol, Governor's house, &c., and to report on the situation of the Capitol, and the necessary sum to repair all the public buildings, and also the propriety of erecting suitable offices for the accommodation of occupants of the State Capitol.

Mr. Acker introduced a bill of the following title:

A bill to be entitled an act authorizing the taking of depositions of witnesses residing in this State, in certain cases;

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, the bill read the second time, and referred to the committee on the Judiciary.

Mr. Acker introduced a bill of the following title:

A bill to be entitled an act to repeal all laws now in force authorizing the sheriffs and other officers in this State, to take forthcoming bonds ;

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title, and referred to the committee on the Judiciary.

Mr. Hemingway introduced a memorial to the Congress of the United States, asking for a grant of land to aid in the construction of the Gulf and Ship Island Railroad ;

Which was read and made the special order for Friday, the 27th January.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to amend an act in relation to 16th sections and common schools in Issaquena county, approved Feb. 5, 1852 ;

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Bennett called up bill in relation to granting pre-emption rights to settlers on the overflowed and swamp lands ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill of the following title :

A bill to be entitled an act for the benefit of 16th sections, in the county of Noxubee ;

Which was read the first time.

On motion of Koger, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Koger, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. West introduced a bill of the following title :

A bill to be entitled an act to suppress the use of fire crackers ;

Which was read the first time.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, the bill read the second time and referred to the committee on the Judiciary.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill with the following title :

A bill to be entitled, an act to prohibit the circulation of bank bills of less denomination than five dollars.

In which the concurrence of the Senate is desired.

The Senate then proceeded to the consideration of the order of the day,

The bill granting the right of way to the Memphis and Charleston Railroad Company.

Mr. West offered the following amendment, to the amendment offered by himself on yesterday :

And provided further, that the said Mississippi Central Railroad Company shall expend the amount thus to be subscribed in their road, in the construction of their road, commencing at the point of intersection with the said Memphis and Charleston railroad, and extending south, in the direction of Holly Springs; and the subscription of \$50,000 to any improvement in Tippah county, as aforesaid, is to be made upon condition that the citizens of said county will organize a company, and subscribe or secure a sufficient amount of good and solvent stock to said company, with the addition of the stock hereby provided to be subscribed, to complete said road or work, said subscription to be made whenever the above terms are complied with, in the judgment of the president and directors of the Mississippi Central Railroad Company, and the president and directors of the Memphis and Charleston Railroad Company; and in the event the Memphis and Charleston Railroad Company shall have to carry the iron rails aforesaid, with their own machinery, cars, labor, &c., they are to be paid the usual charges on it, but to be paid in the stock of the Mississippi Central Railroad Company; and the amount of \$125,000, so to be subscribed in the Mississippi Central Railroad Company, shall be paid as follows, to-wit—\$50,000 in the bonds of the Memphis and Charleston Railroad Company, payable 30 years from the date thereof, bearing interest at the rate of 7 per cent. per annum, payable semi-annually, in the city of New York. Said bonds to be delivered whenever said Mississippi Central Railroad Company have graded and framed their road, from the junction with the Memphis and Charleston road, to the town of Holly Springs, or have made sufficient progress with said work in the estimation of the president of the Memphis and Charleston Railroad Company, to justify them in purchasing iron to lay the track over the same; and the balance of the \$125,000 in stock to be subscribed, as aforesaid, after applying the stock so to be transferred, and the \$50,000 in bonds, to be issued as aforesaid, shall be discharged in three equal annual payments, from the completion of the grade of the Mississippi Central Railroad to Holly Springs, as aforesaid, and the sum of \$50,000 to be subscribed to any improvement in Tippah county, as herein provided, is to be paid in equal payments of one and two years, from the date of subscription.

Pending the discussion of this amendment,

On motion of Mr. Steele, the Senate took a recess, until three o'clock, p. m.

The recess having expired the Senate met.

Pending the discussion upon the amendment to the amendment offered by Mr. West,

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, JANUARY 26, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles:

An act for the relief of the Sheriff of Warren county, and for other purposes.

An act to incorporate the Monroe Female Institute in the town of Aberdeen;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill of the following title:

A bill to be entitled an act to amend an act to incorporate the Mississippi and Tennessee Rail Road Company.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency, the Governor, by his private Secretary, G. S. McMillan.

MR. PRESIDENT.—I am instructed by his Excellency, the Governor, to transmit to the Senate the following message in writing, with the accompanying letter from the Secretary of War, in relation to a site for a Military Asylum.

EXECUTIVE OFFICE,
January 26th, 1854. }

To the Senate and House of Representatives:

I have the honor to invite the attention of the two Houses to a communication herewith transmitted, from the Hon. Jefferson Davis, Secretary of War of the United States, directed to the Governor, and asking, through him, the consent of the Legislature of Mississippi, to the purchase of a piece of property from Jacob Baptiste, situated at East Pascagoula, in the State of Mississippi, as

a site for a military Asylum, and a cession to the United States of jurisdiction over the same, and to recommend to the Legislature, that the application be granted.

JOHN J. McRAE.

WAR DEPARTMENT,
Washington, January 11, 1854. }

To His Excellency, John J. McKee,

Governor of the State of Mississippi :

SIR : On the 21st of April, 1853, arrangements were made, by authority of the commissioners of the Military Asylum, with Mr. Jacob Baptiste, for the purchase of a piece of property situated at East Pascagoula, in the State of Mississippi, as a site for an Asylum. But, the joint resolution of Congress of September 11, 1841—sec. 3—enacts that no public money shall be expended for such purposes, until the consent of the Legislature of the State in which the land or site may be, shall be given.

Agreeably to the 5th section of the aforesaid joint resolution, I now apply, through your Excellency, to the Legislature of Mississippi, for its consent to the purchase of the site referred to, and a cession to the United States of jurisdiction over the same.

I may here observe that the title of the property has been examined and confirmed by the Attorney-General.

I have the honor to be,

with much respect,

your obedient servant,

JEFFERSON DAVIS,

Secretary of War.

Mr. Nelson presented the petition of sundry citizens of Lawrence county, in relation to the retailing of spiritous liquors, which was referred to the committee on Propositions and Grievances.

Mr. Ramsay presented the petition of sundry citizens of Jackson county, which was referred to a select committee of three.

The President appointed on said committee, Messrs. Ramsay, Drane and Hough.

Mr. Webb presented the claim of J. T. Heard, of Pontotoc county ;

Which was referred to the committee on Claims.

Mr. Ellett presented the petition of D. G. Humphreys and others, of Port Gibson ;

Which was referred to a select committee of three.

The President appointed on said committee, Messrs. Ellett, Steele and Pegues.

Mr. Oliver introduced the following resolution, which was adopted :

Resolved, That the State Commissioner be, and he is hereby instructed to ascertain the amount of money loaned by the State, and the amount of money arising from lands appropriated by this State, for the use of Mississippi College, the terms upon which said loan was made, and the securities therefor, and that he report to the Senate at an early day of the present session.

Mr. Koger introduced the following resolution, which was adopted :

Resolved, That the committee on Public Buildings be, and they are hereby requested to inquire into the expediency of increasing the salary of the Keeper of the Capitol and State Librarian.

Mr. Cobb introduced the following resolution, which was adopted :

Resolved, That so much of the Governor's message as refers to the office of the Secretary of State, be referred to the committee on the Judiciary, with instructions to report a bill in conformity with the suggestions therein contained.

Mr. Webb, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The committee on Enrolled Bills have this day examined bills of the following titles :

An act to incorporate the Monroe Female Institute in the town of Aberdeen.

An act for the relief of the Sheriff of Warren county, and for other purposes, and have found the same correctly enrolled.

They have likewise presented to the Governor for signature, bills of the following titles :

An act to authorize and empower the Chancellor and Vice-Chancellors of the State of Mississippi to take the acknowledgment of deeds, and for other purposes.

An act to incorporate the town of Crawfordville, in the county of Lowndes, and for other purposes.

An act for the relief of Caroline C. Johnson, of Holmes county.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT.—The committee on Engrossed Bills have examined bill of the following title :

A bill to be entitled an act for the relief of Jacob E. Montgomery and Thomas Smith, and for other purposes, and found the same correctly engrossed.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to :

MR. PRESIDENT.—The committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Lafayette county, praying a reduction in the rates of license of hawkers and Pedlars, have had the same under consideration, and

have instructed me to report, that in their opinion, the prayer of the petitioners should not be granted.

Mr. Koger introduced a bill of the following title :

A bill to be entitled an act to remove the Vice-Chancery Court from Columbus to Macon, in Noxubee county.

Which was read the first time.

Mr. Alcorn, from the committee on the Judiciary, made the following report :

MR. PRESIDENT.—The committee on the Judiciary have had under their consideration the petition and memorial of James M. Halbert and Erastus B. Strong, praying a grant of ferry privileges across the Mississippi river, and have instructed me to report the same back to the Senate, and ask to be discharged from the further consideration thereof.

Mr. Allen, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT.—The select committee to whom was referred the bill, entitled an act for the relief and benefit of the widow and heirs of J. A. Hairston, dec'd., have had the same under consideration, and have instructed me to report the said bill back to the Senate, and recommend its passage.

The bill was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to regulate the terms of the Vice-Chancery Courts for the Southern District, and the terms of certain Circuit Courts in the first Judicial District.

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act for the relief of Jonathan Benge ;

Which is herewith returned to the Senate,

Also, a House bill to be entitled an act for the relief of Jacob K. Hill ;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency, the Governor, by his private Secretary, G. S. McMillan :

MR. PRESIDENT.—I am instructed, by His Excellency, the

Governor, to inform the Senate that he has this day approved and signed bills with the following titles, to-wit :

An act to incorporate the town of Crawfordsville, in the county of Lowndes, and for other purposes.

An act for the relief of Caroline C. Johnson, of Holmes county.

An act to authorize and empower the Chancellor and Vice-Chancellors of the State of Mississippi, to take the acknowledgments of deeds, and for other purposes.

An act for the relief of the Sheriff of Warren county, and for other purposes.

An act to incorporate the Monroe Female Institute, in the town of Aberdeen.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act repealing an act to designate in what Courts and in what manner, suits may be brought against the State of Mississippi, approved 15th February, 1833.

Which was read the first time.

Mr. Steele called up Senate bill of the following title :

A bill to be entitled an act further to define the duties of the county Treasurer, and the Commissioners of Common schools of Chickasaw county.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn gave notice that he would, on Monday next, introduce a bill changing the levy laws of Coahoma county, and providing for the further issue of swamp land scrip to the counties of DeSoto, Tunica, Coahoma, Bolivar, Washington and Issaquena, in aid of the completion of levees in said counties.

The Senate then proceeded to the consideration of the orders of the day--the bill granting the right of way to the Memphis and Charleston Rail Road Company.

Pending the discussion, on motion of Mr. Drane,

The Senate adjourned until 3 o'clock, p. m.

EVENING SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment, and resumed the consideration of the bill granting the right of way to the Memphis and Charleston Rail Road Company.

Pending the discussion, on motion of Mr. Adams,

The Senate adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, JANUARY 27, 1854.

The Senate met pursuant to adjournment,

The journal of yesterday was read.

Mr. Steele presented the petition of W. S. Womack, of Chickasaw county, which was referred to the committee on County Boundaries.

Mr. Koger presented the petition of sundry citizens of Noxubee county, which was referred to the committee on Banks and Currency.

Mr. Webb, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his signature bills of the following titles :

An act to incorporate the Monroe Female Institute, in the town of Aberdeen.

An act for the relief of the sheriff of Warren county, and for other purposes.

An act for the relief of Jonathan Benge.

An act to amend an act entitled an act in relation to 16th sections and common schools in Issaquena county, approved Feb. 5, 1852.

An act for the benefit of 16th sections, in the county of Noxubee.

An act for the relief of E. R. Porter ;

And have found the same correctly enrolled.

Mr. Ellett, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee, to whom was referred the petition of David G. Humphreys and others, praying for the incorporation of the Port Gibson Collegiate Academy in the county of Claiborne, have had the same under consideration, and have instructed me to report a bill in pursuance of the prayer of the petitioners, and recommend that the same do pass:

A bill to be entitled an act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne ;

Was read the first time.

On motion of Mr. Ellett the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett introduced the following resolution, which was adopted :

Resolved, That the committee on the Judiciary be instructed to inquire whether any amendments are required in the laws relating

to Probate Courts, and that said committee report by bill or otherwise.

Mr. McWillie introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Canton, in the county of Madison ;

Which was read the first time.

On motion of Mr. McWillie, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill with the following title :

A bill to be entitled an act to change the time of holding the Circuit Courts of the Sixth Judicial District of the State of Mississippi.

In which I am instructed to desire the concurrence of the Senate.

The Speaker of the House of Representatives has signed enrolled bills of the following titles :

An an to amend an act entitled an act in relation to Sixteenth Sections, and Common Schools, in Issaquena county, approved Feb. 5, 1852.

An act for the benefit of 16th Sections in the county of Noxubee.

An act for the relief of E. R. Porter.

Which are herewith presented to the Senate for the signature of the President.

Mr. Ramsay called up the message received from his Excellency the Governor, on yesterday, in relation to a military asylum ;

Which was read.

Mr. Ramsay called up the House bill of the following title :

A bill to be entitled an act for the erection of a military asylum on Pascagoula Bay ;

Which was read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

On motion of Mr. Ramsay, the message and bill was referred to a select committee of three.

The President appointed, on said committee, Messrs. Ramsay, Ellett, and Hemingway.

On motion of Adams, the Senate proceeded to the consideration of the orders of the day—the bill granting the right of way to the Memphis and Charleston Railroad.

Mr. Alcorn moved to adopt the amendment offered by Mr. West, to the amendment ; which was adopted.

Mr. West offered the following amendment to the amendment, which was adopted :

Amend, by adding after the words "Holly Springs," in the 10th line : Provided, the expenditure of the whole amount of such subscription shall be necessary, in order to complete said road between the said point of intersection, and the town of Holly Springs.

The question was then taken upon the adoption of the amendments, and decided in the negative, by ayes and noes as follows :

AYES—Mr. President, Messrs. Arthur, Berry, Greer, Hemingway, Johnston, Koger, McWillie, Pegues, Ramsay, Steele, West, and Webb—13.

NAYS—Messrs. Adams, Alcorn, Acker, Allen, Beene, Banks Cobb, Drane, Ellett, Graves, Hough, Nelson, Oliver, and Reynolds—14.

Mr. Ellett then offered the following amendment, which was adopted :

Amend the 3d section of the bill, by adding the following :

And the said Memphis and Charleston Railroad Company shall transport the U. S. mails upon the route of their road, upon such terms and restrictions as may be prescribed by the Post-master General, in pursuance of the acts of Congress, at the same rate of compensation, that may be allowed for a similar grade of mail service.

Mr. Reynolds offered the following amendment ; which was adopted :

Sec. 10. *Be it further enacted*, That whenever any railroad company, heretofore or hereafter incorporated by this State, connecting with or crossing said railroad, or any branch railroad that may be constructed to connect with said railroad, shall require the same, it shall be the duty of the directors of the Memphis and Charleston railroad, to receive on their road the full freighted cars from such other railroads or branch railroads, and transport the same to their destination, and to return the same without changing the loads thereof, or charging more therefor than is charged for similar freight on their own road : Provided, that said company shall not be compelled to receive such cars on their road, unless they are constructed of the same gauge with their own cars, and are of sufficient strength, of which the engineer on said road shall be the judge, and shall not be required to receive them without receiving payment for at least ten miles of transportation : And, provided, that said company shall be entitled, in all respects, to similar and equal privileges from all such railroads, or branch railroads, connecting with said railroad as aforesaid, as they are required to perform for such roads, under the same conditions and restrictions.

Sec. 11. *Be it further enacted*, That the stock heretofore subscribed by the citizens of this State to the Memphis and Charleston Railroad Company, shall be transferred to the Mississippi Central Railroad Company : Provided, the person or persons owing

for or owning said stock, may request or consent to the same, and every citizen of this State, who has subscribed for stock in the said Memphis and Charleston Railroad Company, who does not consent to have his or their stock transferred to the said Mississippi Central Railroad Company, and does not desire to remain a stockholder in the said Memphis and Charleston Railroad Company, shall be, and is hereby released from the payment of said stock, and the said company is hereby forever debarred from collecting the same, and if any portion of said stock has been paid to said company, said sum shall be refunded to said subscriber or subscribers, who may have paid the same.

Mr. Reynolds offered the following amendment, which was adopted :

Sec. 12. *Be it further enacted*, That the said Memphis and Charleston Railroad Company are hereby required, on the demand of Orlando Davis, A. M. Jackson, C. W. Williams, W. Goodman, and L. W. Clapp, or a majority of them, to pay all sums subscribed and paid by the citizens of Marshall, Tippah, and Tishomingo counties, or the Boards of Police of said counties, for the purpose of having any survey or surveys made of the proposed route by Holly Springs, and the expenses connected therewith.

Mr. Adams offered the following amendment, which was adopted :

Sec. 13. *Be it further enacted*, That for the purpose of informing the subscribers of stock, in the State of Mississippi, of the privileges granted by this act, that the Secretary of State be, and he is hereby authorized to have this act published immediately after its passage, in all the papers published at Holly Springs, Ripley, and Eastport, Mississippi, and in two papers published in Memphis, Tennessee, which publications shall be paid for by the said Memphis and Charleston Railroad Company.

On motion of Mr. Reynolds, the bill, as amended, was ordered to be engrossed.

On motion of Mr. Greer, the bill was made the order of the day for Monday the 30th inst.

The following message was received from the House of Representatives, through their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT—The House of Representatives have passed bills with the following titles :

A bill to be entitled an act for the relief of Jonathan W. Smith, of Monroe county.

A bill to be entitled an act to increase the revenue of the county of Hinds.

In which the concurrence of the Senate is desired.

The Speaker of the House of Representatives has signed,

An act for the relief of Jonathan Benge.

Which is herewith presented to the Senate, for the signature of the President.

Mr. Acker moved to take up Senate bill of the following title :

A bill to be entitled an act to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad, in the State of Mississippi, and for other purposes.

On motion of Mr. McWillie, the bill was read the second time.

Mr. Oliver offered the following amendment :

After "Central Railroad," in the 4th line of the 5th section, insert Mississippi and Tennessee Railroad.

Pending the discussion, on motion of Mr. Johnston, the Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

And resumed the consideration of the bill in relation to the New Orleans, Jackson, and Great Northern Railroad.

Mr. Alcorn offered the following amendment, as a substitute for the one offered by Mr. Oliver, which Mr. Oliver accepted.

That the money in the Treasury, and which may hereafter come into the Treasury, as contemplated by this act, and the same is hereby given in aid of the construction of the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mississippi and Tennessee Railroad, as follows, to-wit : Two-fifths thereof in aid of the construction of the New Orleans, Jackson, and Great Northern Railroad from the Louisiana State line to the town of Canton, in this State, and the remaining three-fifths thereof to be equally distributed upon the basis of distance or length of road between the New Orleans, Jackson, and Great Northern Railroad, from the said town of Canton, north, to the Tennessee line, the Mississippi Central Road, from said town of Canton to the Tennessee line, and the Mississippi and Tennessee Railroad from the town of Grenada, in this State, north, to the Tennessee line.

On motion of Mr. Oliver, Messrs. Ellett, Ramsay, and Alcorn, were added to the committee on districting the State.

On motion of Mr. Reynolds, leave of absence was granted to Mr. Monroe.

On motion of Mr. Oliver, Mr. Webb was added to the committee on apportioning the State, in the place of Mr. Greer, who was excused from serving.

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 28, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Drane presented the claim of S. C. Platner, Sheriff of Choctaw county, which was referred to the committee on claims.

Mr. Webb, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT.—The joint standing committee on Enrolled Bills have this day presented to the Governor for his signature, bills of the following titles:

An act for the relief of Jonathan Benge.

An act to amend an act entitled an act in relation to 16th sections, and common schools, in Issaquena county, approved Feb. 5, 1852.

An act for the benefit of 16th sections in the county of Noxubee.

An act for the relief of E. R. Porter.

Mr. Ramsay, from a select committee, made the following report, which was received and agreed to:

MR. PRESIDENT.—The select committee to whom was referred the petition of the citizens of Jackson county, praying the incorporation of the town of Ocean Springs, in said county, have had the same under consideration, and have instructed me to report the following bill;

The bill was then read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the bill was referred to the committee on the Judiciary.

Mr. Oliver introduced the following joint resolution, which was read the first time:

Resolved by the Senate, (the House of Representatives concurring,) That the Attorney-General be, and he is hereby instructed to make demands of the Trustees of Jefferson College, or the President thereof, for the sum loaned by the State of Mississippi to said College, with legal interest thereon, and in case the Trustees or the President of said College shall refuse to pay the same, then and in that case, the Attorney-General is further instructed to commence legal proceedings to recover the same, either by bill in equity, or by suit at law, as he may deem proper.

On motion of Mr. Oliver, the rule requiring joint resolutions to be read on two several days, was suspended, the resolution read the second time and passed.

Mr. West introduced a bill of the following title:

A bill to be entitled an act further to amend an act entitled an

act to incorporate the Mississippi Central Rail Road Company, approved March 10th, 1852.

Which was read the first time.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. West, the bill was laid on the table, two hundred copies ordered to be printed, and made the special order of the day for Tuesday, 31st inst.

Mr. Hemingway introduced a bill of the following title :

A bill to be entitled an act for the relief of the people of Carroll and Holmes counties, sufferers by the late fire at Tchula.

Which was read the first time.

On motion of Mr. Hemingway, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

Mr. Berry offered an additional section, by way of amendment.

On motion of Mr. Ellett, the bill and amendment was referred to the committee on Propositions and Grievances.

Mr. Drane introduced a bill of the following title :

A bill to be entitled an act to amend an act for the reclamation of the swamp and overflowed public lands, and for the improvement of the navigation of various rivers and streams in this State, approved March 16th, 1852.

Which was read the first time.

On motion of Mr. Drane, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to increase and change the terms of the Probate Court of Issaquena county, and to increase the compensation of the judge of said court.

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

The Senate then proceeded to the consideration of the orders of the day—the bill to aid the New Orleans, Jackson and Great Northern Rail Road.

Mr. Acker offered the following amendment :

Strike out all of the 5th section, after the word road, in the 4th line, of the printed bill, and insert "from the Louisiana line through the State of Mississippi to the Alabama State line.

On motion of Mr. Acker, a call of the Senate was had.

On motion of Mr. Ellett, leave of absence was granted to Mr. Farrar.

On motion of Mr. McWillie, leave of absence was granted to Mr. Arthur.

On motion of Mr. Webb, leave of absence was granted to Mr. Bennett.

On motion of Mr. Ellett, a further call of the Senate was dispensed with.

The following message was received from His Excellency, the Governor, by his Secretary, G. S. McMillan:

MR. PRESIDENT.—I am instructed by His Excellency, the Governor, to inform the Senate that he has this day approved and signed a bill with the following title, to-wit:

An act for the relief of Jonathan Benge.

On motion of Mr. West, the further consideration of the bill was postponed until Thursday, February 2nd.

The President laid before the Senate the following communication from the Secretary of State, which,

On motion of Mr. Greer, was laid on the table, and 200 copies ordered to be printed.

OFFICE OF SECRETARY OF STATE, }
City of Jackson, Jan'y 12, 1854. }

SIR: Permit me, through you, to transmit to the Senate, in pursuance of the resolution of 6th inst., a partial report of the condition of the five hundred thousand (500,000) acres of Internal Improvement Lands.

One hundred and eighteen thousand two hundred and two and 92-100 (118,202 92-100) acres, have been sold. The price at which this land has been sold, has not been uniform. A portion was sold under the provisions of an act of the Legislature, approved February 23rd, 1848, at six dollars per acre. A portion was sold under the provision of the 6th section of that act to "actual settlers," at two dollars and fifty cents per acre, and a part has been sold at two dollars per acre, and under the existing laws, it is now sold at one dollar and seventy-five cents per acre.

Very respectfully,

W. H. MUSE,
Secretary of State.

To the Hon. JOHN J. PETTUS, }
President of the Senate. }

The President also laid before the Senate the following communication from the Secretary of State, which

On motion of Mr. Drane, was laid on the table, and 200 copies ordered to be printed.

OFFICE OF SECRETARY OF STATE,
JACKSON, Jan. 23d, 1854.

SIR:—Allow me through you to transmit to the Senate, a statement of the condition of the swamp and overflowed lands in this State. Seven hundred and ten thousand seven hundred and eighty-two and four-hundredths (710,782 4-100) acres have been confirmed and patented by the general Government, to the State of Mississippi, under the provisions of the act of the Congress of the United States, approved 23th September, 1850, lying within the district of lands subject to entry at Grenada. Three hundred and fifty-four thousand seven hundred and sixty-nine and sixty-hundredths (354,769 60-100) acres have been sold; leaving three hundred and fifty-six thousand and thirteen and thirty-nine one-hundredths (356,013 39-100) acres unsold in that district. In the district of lands subject to entry at Jackson, eight hundred and nineteen thousand eight hundred and sixty and six-hundredths (819,860 6-100) acres have been confirmed to this State, under the provisions of said act of Congress. Of this amount one hundred and forty-three thousand and twenty-four and five-hundredths acres (143,024 5-100) have been sold. Leaving in that district, six hundred and seventy-six thousand eight hundred and thirty-six and one-hundredth acres (676,836 1-100) unsold. In the district of lands subject to entry at Columbus, one hundred and twenty-two thousand nine hundred and seventy-two and seventy-eight hundredths acres (122,972 78-100) have been confirmed to this State under the provisions of said act of Congress. And of this amount, forty-eight thousand two hundred and eighteen and ten-hundredths, (48,218 10-100) acres have been sold. Leaving yet unsold seventy-four thousand six hundred and twenty-nine and thirty-five hundredths (74,629 35-100) acres unsold.

And in the district of lands subject to entry at Washington, Miss., forty-eight thousand four hundred and forty-one and forty-three hundredths (48,441 40-100) acres have been confirmed to the State of Mississippi, under the provisions of said act of Congress of which three thousand four hundred and twenty-seven and forty-two-hundredths (3,427 42-100) acres have been sold. Leaving forty-five thousand and fourteen and one-hundredth acres (45,041 1-100) yet unsold. It appears from the foregoing that one million seven hundred and two thousand and fifty-six and thirty-one-hundredths (1,702,056 31-100) acres of swamp and overflowed lands have been confirmed to the State of Mississippi, under the provisions of the act of Congress, approved Sept. 28th, 1850. That five hundred and forty-nine thousand four hundred and thirty-nine and twenty-two-hundredths (549,439 22-100) acres have been sold, and that one million one hundred and fifty-two thousand and six hundred and seventeen and seventy-six hundredths (1,152,617 76-100) acres yet remain unsold.

No lands lying within the Augusta Land District, have yet been confirmed to this State, under the provisions of said act of Congress. More than eighteen months have elapsed since the appointment of some of the Commissioners in that district, and no returns have been made that have come to my knowledge.

Very respectfully,

WM. H. MUSE,

Sec'y of State.

To Hon. J. J. PETTUS,

President of the Senate.

The President also laid before the Senate the following communication from the Secretary of State, which

On motion of Mr. Greer, was laid on the table, and 200 copies ordered to be printed.

OFFICE OF SECRETARY OF STATE, }
CITY OF JACKSON, Jan. 21, 1854. }

Sir: Allow me, through you, to transmit to the Senate, in pursuance of the resolution of the 6th inst., a statement of the number of the free white inhabitants in the several counties in the State, as far as has been returned to this office. Eight counties have made no return. By an inspection of a certificate attached to the Assessor's book for Chickasaw county, now in the office of the Auditor of Public Accounts, it appears that the number of free white inhabitants of that county, is seven thousand five hundred and fifty. Thus leaving seven counties of which no information has been received.

Very respectfully,

WM. H. MUSE,

Secretary of State.

To the Hon. J. J. PETTUS,

President of the Senate. }

COUNTIES.	MALES.	FEMALES.	TOTAL.	COUNTIES.	MALE.	FEMALE.	TOTAL.
Amite	1979	1896	3875	Lowndes	3654	3458	7113
Adams	687	646	1333	Lauderdale	3118	2738	5856
City of Natchez	1603	1602	3205	Lawrence... .. .	2215	1936	4151
Attala .. .. .	.....	.....	7333	Marion .. .. .	.....	.....	2175
Bolivar	279	149	428	Marshall	9181	8381	17562
Calhoun .. .. .	.....	.....	5767	Madison	2522	2227	4749
Covington .. .. .	.....	.....	2100	Monroe	4222	4198	8420
Clarke	1779	1575	3354	Newton	2068	1942	4010
Copiah	3174	3004	6178	Neshoba	2168	1910	4078
Carroll .. .. .	.....	.....	8717	Noxubee	2625	2379	5004
Choctaw .. .. .	.....	.....	9000	Octibbeha.. .. .	2073	1914	3987
Claiborne .. .. .	.....	.....	3543	Pike	2270	2123	4393
Franklin	1399	1167	2566	Pontotoc	6685	6347	13032
Greene	738	607	1345	Panola .. .. .	.....	.....	5314
Hinds	4535	4101	8642	Perry.. .. .	.....	.....	1640
Holmes	2997	2797	5794	Rankin	2621	2453	5074
Hancock	1429	1215	2644	De Soto	5087	4444	9531
Itawamba	6778	6393	13171	Smith	1800	1747	3547
Jasper	2461	2283	4744	Sunflower.. .. .	255	173	428
Kemper.. .. .	3766	3370	7136	Scott.. .. .	1572	1458	3030
Lafayette	4095	3765	7860	Tallahatchie .. .. .	.....	.....	2005
Leake	2332	2134	4466	Tippah	7811	7464	15275

Tishemingo	8418	7593	16011	Jones.. .. .	969	958	1927
Wilkinson	2345	1037	3382	Yalobusha	3679	3427	7106
Jefferson .. ..	.....	.....	2887	Yazoo	2750	2250	5000
Winston	2780	2679	5459	Simpson	1758	1612	3370
				Total,	120314	188409	288718

On motion,
The Senate adjourned until Monday morning at 10 o'clock.
S-18

MONDAY, JANUARY 30, 1854.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Mr. Drane presented the petition of Dempsey Pace and Fredonia Rutledge, which was referred to the committee on Propositions and Grievances.

Mr. Acker presented the petition of sundry persons of Aberdeen, with a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to incorporate Wilder Lodge, No. 21, of the I. O. O. F., in the city of Aberdeen.

Which was read the first time.

On motion of Mr. Acker, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell, to-wit :

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to incorporate the Amite county Rail Road Company.

A bill to be entitled an act for the relief of James N. McLean, and Jesse B. Walton.

A bill to be entitled an act declaring Alligator Bayou a navigable stream.

A bill to be entitled an act declaring 1st, 2nd and 3rd bayous, in the county of Carroll, navigable streams.

A bill to be entitled an act for the relief of Spencer A. Bobo, of Coahoma county.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Union, in the county of Coahoma, approved October 16th, 1852.

A bill to be entitled an act to extend the provisions of an act concerning the appointment and duties of county Treasurers, approved June 18, 1822.

A bill to be entitled an act to amend an act entitled an act to incorporate the Quitman Bridge Company, in Clarke county approved Oct. 16, 1852.

A bill to be entitled an act to alter and amend an act entitled an act to incorporate the Enterprize Bridge Company in Clark county, approved March 4, 1850.

A bill to be entitled an act to extend the operation of an act entitled an act to amend an act to suppress trade and barter with slaves, approved March 6, 1850, so far as it applies to the counties of Lawrence, DeSoto and Rankin, approved March 16, 1852, to the county of Franklin.

A bill to be entitled an act for the benefit of the citizens of the county of Green in this State.

A bill to be entitled an act to remove the civil disabilities of Robert Shurlds, a minor, of Hinds county, and for other purposes.

A bill to be entitled an act to incorporate Alpha Circle, No. 1, of Social Circles.

In all of which the concurrence of the Senate is desired.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne.

A bill to be entitled an act further to extend the corporate limits of the town of Okalona, in the county of Chickasaw, and for other purposes.

A bill to be entitled an act further to define the duties of the county Treasurer, and the Commissioners of Common Schools, of Chickasaw county;

Which are herewith returned to the Senate.

The House of Representatives have also passed a Senate bill to be entitled an act for the relief of Mississippi College;

And have made amendments thereto;

In which the concurrence of the Senate is desired.

Mr. Nelson presented the claim of Robert Bacot, of Pike county, which was referred to the committee on Claims.

Mr. Reynolds presented the petition of sundry citizens of the county of Tishemingo,

Which was referred to a select committee of three.

The President appointed on said committee, Messrs. Reynolds, Adams and Koger.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT.—The committee on Engrossed Bills have this day examined a bill of the following title, viz :

An act to be entitled an act to grant the right of way to the Memphis and Charleston Rail Road Company, and for other purposes ;

And have found the same correctly engrossed.

Mr. Johnston introduced the following joint resolution, which was adopted :

Resolved, (the House of Representatives concurring,) That the Auditor of Public Accounts be, and he is hereby authorized, on application of the Clerk of the High Court of Errors and Appeals, to deliver to him for use in his office, the press recently purchased for the Auditor's office, and which is now lying useless in that office.

Mr. Steele introduced a bill of the following title :

A bill to be entitled an act to prescribe the time of holding the Probate Court of Chickasaw county;

Which was read the first time.

On motion of Mr. Steele, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Nelson introduced a bill of the following title :

A bill to be entitled an act to amend the Common School law, so far as the same relates to the county of Pike.

Which was read the first time.

On motion of Mr. Nelson, the rule requiring bills to be read on three several days, was postponed, and the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams introduced a bill of the following title :

A bill to be entitled an act for the relief of James H. Yerger;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Adams, Allen and Ellett.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower;

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property by cars, or rail road machinery in this State, approved March 16, 1852.

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended. the bill read the second time by title, and referred to the Judiciary committee.

Mr. Pope called up House bill of the following title :

A bill to be entitled an act to incorporate Good Hope Academy, in Leake county.

Which was read the first time.

On motion of Mr. Pope, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Pope, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Greer called up House bill of the following title :

A bill to be entitled an act to amend an act incorporating the Cold Water Baptist Female Seminary, approved February 20th, 1852;

Which was read the first time.

On motion of Mr. Greer, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay, from a select committee, made the following report, which was received and agreed to, and the bill read the first time :

MR. PRESIDENT.—The select committee to whom was referred the House bill, entitled an act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of a military asylum at East Pascagoula, Jackson county, State of Mississippi, and also the Governor's message in relation to the same subject, have had the same under consideration, and have instructed me to report the following bill in lieu of the House bill, and recommend its passage.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Koger called up House bill of the following title :

A bill to be entitled an act to authorize the Probate Court of Winston county to order the sale of the slaves of Melinda Duncan, a lunatic, of Winston county, in the hands of Willis Kelly, her guardian;

Which was read the first time.

On motion of Mr. Koger, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Koger, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Cobb, leave of absence was granted to Mr. McWillie.

Mr. Drane called up House bill of the following title :

A bill to be entitled an act to change the time of holding the Circuit Courts of the 6th Judicial District, of the State of Mississippi, and for other purposes;

Which was read the first time.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to prohibit the sale of vinous and spiritous liquors within the geographical limits of township No. 5, range No. 2 west, in the county of Hinds;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered that the title thereof stand as stated.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to incorporate the officers and members of Mount Salus Lodge, No. 42, of the I. O. O. F., of the town of Clinton, Hinds county;

Which was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up Senate bill entitled an act to amend an act entitled an act to reduce into one, the several acts concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans, and other representatives of deceased persons, approved Nov. 26, 1821;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The House of Representatives have passed a Senate bill entitled an act to incorporate the town of Thomas-town in Leake county ;

Which is herewith returned to the Senate.

Also, a Senate bill entitled an act to change the name of Jane Elvira Harris, to that of Jane Elvira Deaver, and have made an amendment thereto;

In which the concurrence of the Senate is desired.

Mr. Adams moved to take up Senate bill for the relief of certain minors therein named.

Mr. Koger offered an amendment, by way of *ryder*, which was adopted, and the bill read the third time.

The question was then taken upon the passage of the bill, and decided in the negative, by ayes and noes as follows:

AYES.—Messrs. Adams, Acker, Allen, Bennett, Banks, Ellett, Johnston, Koger, Nelson, Reynolds, Steele and Webb—12.

NAYS.—Mr. President, and Messrs. Alcorn, Beene, Berry, Cobb, Drane, Greer, Graves, Hemingway, Hough, Oliver, Pope, Pegues and Ramsay—14.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to declare Escutumpa river a navigable stream.

A bill to be entitled an act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and overflowed lands in the counties of Lowndes and Monroe, and for other purposes, passed October 20th, 1852.

A bill to be entitled an act making provisions for cases where no executor or administrator will qualify under a last will and testament, and undertake to carry into effect, so far as the county of Kemper is concerned.

A bill to be entitled an act to legalize the assessment roll of Kemper county.

A bill to be entitled an act to authorize T. H. Judson, administrator of the estate of Septimus Caldwell, deceased, to compromise with the debtors to said estate.

A bill to be entitled an act to incorporate the town of Barton, in the county of Lowndes.

A bill to be entitled an act to authorize and require the Board of Police of Madison county to procure the field notes of the original survey of said county, and for other purposes.

A bill to be entitled an act to incorporate the Holly Springs and Hickory Flat Plank or Turnpike Road Company, the Chulahoma and Holly Springs Plank or Turnpike Road Company, and the Holly Springs and Byhalia Plank or Turnpike Road Company;

In which the concurrence of the Senate is desired.

Mr. Adams, from the Judiciary committee, made the following report, which was received and agreed to:

MR. PRESIDENT.—The Judiciary committee have had under consideration a bill, entitled

An act to incorporate the town of Ocean Springs,

And have instructed me to report the bill with certain amendments, and to recommend its passage.

The bill, as amended, was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Hemingway gave notice that he would, on to-morrow, or

some early day, introduce a bill to prevent the construction of dams and levees in certain cases.

On motion of Mr. Pegues, the vote taken on the bill for the relief of certain minors therein named, was reconsidered.

On motion of Mr. Pegues, the bill was laid on the table.

Mr. Cobb called up Senate bill of the following title :

A bill to be entitled an act for the relief of Jacob E. Montgomery and Thomas Smith, and for other purposes;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Cobb, from a joint select committee, made the following report, which was received and agreed to :

MR. PRESIDENT.—The joint select committee to whom was referred the resolutions of the House, instructing that a bill be reported laying off the State into five Congressional Districts, have had the same under consideration, and have directed me to report to the Senate the bill submitted since by Mr. Pope, of Attala.

Mr. Berry introduced a bill of the following title :

A bill to be entitled an act to authorize the purchase of a certain number of Colton's Maps of the United States.

Which was read the first time.

On motion of Mr. Berry, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title, and laid on the table.

On motion of Mr. Berry,

The Senate adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, JANUARY 31, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles :

A bill to be entitled an act to diminish the length of the terms of the Circuit Court of Madison county, and to detach Sunflower county from the 3d, and add it to the 5th Judicial District.

A bill to be entitled an act to change the time of holding the Probate Court of the county of Perry.

A bill to be entitled an act to establish a ferry, and for other purposes.

A bill to be entitled an act to authorize the Alabama and Noxubee, (Mississippi) Railroad Company to extend their railroad into the State of Mississippi, and for other purposes.

In which the concurrence of the Senate is desired.

The House of Representatives, have passed a Senate bill to be entitled an act in relation to the poor house in Tippah county.

Which is herewith returned to the Senate.

The Speaker of the House of Representatives has signed bills of the following titles :

An act further to define the duties of the county treasurer, and commissioners of common schools, of Chickasaw county.

An act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne.

An act further to extend the corporate limits of the town of Okolona, in the county of Chickasaw, and for other purposes.

An act to increase and change the terms of the Probate Court of Issaquena county, and to increase the compensation of the judge of said court.

Which are herewith presented to the Senate, for the signature of the President.

Mr. Cobb called up the bill giving the unrestricted right of way to the Memphis and Charleston Railroad Company.

On motion of Mr. Reynolds, the Senate then went into committee of the whole, on said bill, Mr. Acker in the chair.

On motion of Mr. Reynolds, the latter clause of sec. 11, in said bill was stricken out.

Mr. Reynolds moved that the committee rise and report progress, which was agreed to.

The report of the committee of the whole was received and agreed to, and the amendment agreed to.

The bill was then read the third time and passed, by ayes and noes, as follows :

YEAS—Messrs. Adams, Alcorn, Acker, Arthur, Allen, Beene, Eanks, Cobb, Drane, Ellett, Graves, Hemingway, Hough, Koger, Monroe, Nelson, Oliver, Pope, Reynolds, Steele, Stuart, and Webb—22.

NAYS—Mr. President, Messrs. Bennett, Berry, Greer, Johnston, Pegues, and Ramsay—7.

The President laid before the Senate, a communication from the State commissioner, in relation to the Mississippi College ;

Which, on motion of Mr. Oliver, was laid on the table :

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the bill for the relief of the sufferers by the late fire at Tchula, have had the same under consideration, and beg leave to report, that they deeply sympathize with the sufferers by fire, at Tchula, but doubt not that there are citizens in every county in the State, who have been subject to a similar calamity ; and as your committee can see no good reason why one portion of their fellow citizens should receive special favors from

the Legislature, whilst others similarly situated, are to be wholly excluded, they therefore recommend that the bill do not pass.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration the petition of sundry citizens of Tippah county, praying the passage of a law to prohibit the carrying of certain deadly weapons, and have instructed me to report, that however much your committee deprecate the practice of carrying such weapons, for improper purposes, the prayer of the petitioners cannot be granted. The 23d sec. of the 1st art. of the Constitution, declares that “every citizen has a right to bear arms in defence of himself and of the State.” This right being thus secured by the constitution, cannot, in the opinion of your committee, be in any manner abridged by the Legislature.

Mr. Beene, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act for the relief of Lydia P. rmellee, of Madison county, and have instructed me to report the same back to the Senate, and recommend that said bill do not pass, and that your committee be discharged from the further consideration thereof; all of which is respectfully submitted.

Mr. Ellett, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, being instructed, by resolution of the Senate, to inquire whether any amendments are necessary to be made in the laws, in relation to Probate Courts, have had the same under consideration, and have instructed me to report the following bill, entitled an act to amend the laws in relation to Probate Courts, and to recommend that the same do pass.

The bill was then read a first and second time.

Mr. Ellett, from the said committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred a bill to be entitled an act to amend the criminal laws of this State, so as to prohibit pleas in abatement to the sufficiency of grand juries, have had the same under consideration, and have instructed me to report the said bill back to the Senate, and that they recommend the adoption of Senate bill No. 1, entitled an act to regulate the mode of selecting and impannelling grand juries, as a substitute for the bill so referred.

The bill was read the first and second time, and its further consideration postponed until to-morrow.

Mr. Webb, from the committee on Enrolled Bills, made the following reports :

MR. PRESIDENT—The committee on Enrolled Bills, have examined bills of the following titles :

An act further to define the duties of the county treasurer, and the commissioners of common schools of Chickasaw county.

An act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne.

An act further to extend the corporate limits of the town of Okolona, in the county of Chickasaw, and for other purposes.

An act to increase and change the terms of the Probate Court of Issaquena county, and to increase the compensation of the judge of said court.

And have found the same correctly enrolled.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act to authorize executors and administrators to make advances to legatees and distributees, during the course of administration, and before final settlement, and have instructed me to report the same back to the Senate without amendment, and recommend that the same do not pass.

Mr. Banks, from the committee on County Boundaries, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on County Boundaries, to whom was referred the application of W. S. Womack, of Choctaw county, to be attached to Chickasaw county, have had the same under consideration, and instructed me to report the following bill, and recommend its passage :

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, have instructed me to report back to the Senate, without amendment,

A bill to be entitled an act to amend the acts heretofore in force in this State, granting commissions to guardians, executors, administrators, &c., and ask to be discharged from the further consideration of the same.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred,

A bill to be entitled an act to repeal all laws now in force authorizing the sheriffs and other officers in this State, to take forthcoming bonds ;

Have had the same under consideration, and have instructed me to report the same back to the Senate, without amendment, and ask to be discharged from a further consideration of the same.

Mr. Acker, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred a bill to be entitled an act for the benefit of insolvent debtors, have had the same under consideration, have instructed me to report the same back to the consideration of the Senate, without amendment, and ask to be discharged from the further consideration of the same.

Mr. Adams, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee who have had under consideration, a bill entitled an act for the relief of James H. Yerger, have instructed me to report the bill to the Senate, and recommend that it do pass.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Drane introduced the following resolution, which was adopted :

Resolved, That the Secretary of State furnish the Senate a statement of what amount of the lands donated to the counties in which they lie, by "an act for the reclamation of the swamp and overflowed public lands, and for the improvement of the navigation of various rivers and streams in this State, approved March 16th, 1852," has been located, and in what counties, by scrip issued under the provisions of "an act to provide for the construction of a levee upon the Mississippi river, for the reclamation of the State and school lands, and for other purposes."

Mr. Arthur introduced the following resolution, which was adopted :

Resolved, That the committee on Finance be instructed to enquire into the expediency of establishing a land office, to which shall be transferred the management and control of the State lands, the officer of which shall be styled, "The Register or Commissioner of the Land Office," and his salary to be paid by fees of office, as now received by the Secretary of State and Auditor of Public Accounts, for like services.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act to provide for the further issue of swamp land scrip, for the purpose of aiding in the construction of Levees upon the Mississippi river ;

Which was read the first time.

On motion of Mr. Alcorn, the rule requiring bills to be read on three several days, was suspended, the bill read a second time by its title.

On motion of Mr. Johnston, the bill was laid on the table, and 200 copies ordered to be printed.

Mr. Stuart introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to

incorporate the Trustees of Zion Seminary, in the county of Covington, approved Feb. 11, 1846 ;

Which was read the first time.

On motion of Mr. Stuart, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title.

On motion of Mr. Stuart, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill with the following title :

A bill to be entitled an act to authorize the Alabama and Noxubee (Mississippi) Railroad Company to extend their railroad into the State of Mississippi, and for other purposes ;

Which was read the first time.

On motion of Mr. Koger, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

Mr. Ellett moved to strike out the 8th section of said bill, which was adopted.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to incorporate the officers and members of Friendship Lodge No. 127, of Free and Accepted Masons, in the county of Panola, and for other purposes.

A bill to be entitled an act to incorporate Newton College.

A bill to be entitled an act to incorporate the town of Webster, in the county of Winston.

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to a stage route.

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill, to be entitled an act to change the name of Cornelia Martha Boyle to that of Cornelia Hill.

Which is herewith returned to the Senate.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to increase the revenue of the county of Hinds ;

Which was read the first time.

On motion of Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

Mr. Adams moved to amend, by an additional section, which was adopted, and the bill read the third time, and passed as amended.

Ordered, That the title thereof stand as stated.

Mr. Hemingway introduced a bill of the following title :

A bill to be entitled an act to prohibit the construction of dams and levees, in certain cases ;

Which was read the first time.

On motion of Mr. Hemingway, the rule requiring bills to be read on three several days, was suspended, the bill read the second time and referred to a select committee of three.

The President appointed on said committee, Messrs. Hemingway, Johnston, and Alcorn.

Mr. Arthur introduced a bill of the following title :

A bill to be entitled an act further to amend the several acts incorporating the Southern Railroad Company ;

Which was read the first time.

On motion of Mr. Arthur, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by its title.

Mr. Bennett moved to amend, by striking out 4th section.

Pending the consideration of the bill, on motion of Mr. Ellett, the Senate adjourned until 3 o'clock, p. m.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

And resumed the consideration of the Southern Railroad bill.

The question was taken on striking out the 4th section, and decided in the negative, by ayes and noes as follows :

AYES—Messrs. Bennett, Banks, Greer, Graves, and Ramsay, —5.

NAYS—Mr. President, Messrs. Adams, Arthur, Beene, Berry, Cobb, Drane, Ellett, Hough, Johnston, Koger, Monroe, Nelson, Pope, Pegues, Steele, Stuart, and Webb—18.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Adams, the Senate proceeded to the consideration of the orders of the day—House bills on their first reading.

A bill to be entitled an act providing the manner in which teachers of common schools in the county of Covich shall present their claims, and for other purposes ;

Was read the first time.

On motion of Mr. Banks, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title.

On motion of Mr. Banks, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act for the relief of Parthena E. Wheeler, and her children ;

Was read the first time, and laid on the table.

A bill to be entitled an act to change the name of Bertha Myers to Bertha Lavenburgh;

Was read the first and second times.

Mr. Webb moved to amend the title thereof, by adding, "and for other purposes;" which was adopted, and the bill, as amended, read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to prevent fraudulent dealings;

Was read the first and second times.

Mr. Adams moved to amend, by an additional section.

On motion of Mr. Greer, the bill and amendment was indefinitely postponed.

A bill to be entitled an act to repeal Article 9, of Chapter 53, Hutchinson's Code;

Was read the first and second times, and referred to the Judiciary committee.

A bill to be entitled an act to incorporate the Baptist Church at Enterprize, Clark county, Miss.

Was read the first time.

On motion of Mr. Hough, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. Hough, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to amend, an act entitled an act concerning conveyances, approved June 13, 1822;

Was read the first time and referred to the Judiciary committee.

A bill to be entitled an act to authorize and provide for the transcribing of the records of the Circuit and Probate Courts of Wayne county;

Was read the first time.

On motion of Mr. Graves the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to grant to the Board of Police of Tippah county, certain powers therein named;

Was read the first time.

On motion of Mr. Berry, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to change the name of Ella Moore to that of Ella Biggs, and for other purposes ;

Was read the first time.

On motion of Mr. Webb, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. Webb, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act for the relief of Jonathan W. Smith, of Monroe county;

Was read the first and second times.

A bill to be entitled an act to incorporate the town of Clinton ;

Was read the first time.

On motion of Mr. Adams the rule requiring bills to be read on three several days, was suspended, the bill read the second time by its title.

Mr. Drane moved to amend, by changing the title, which was adopted, and the bill read the third time and passed as amended.

Ordered, That the title, as amended, stand as stated.

On motion of Mr. Webb,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, FEBRUARY 1, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to incorporate Thomastown, in Leake county.

An act to prohibit the sale of vinous and spirituous liquors within the geographical limits of township 5 of range 2 west, in the county of Hinds.

An act to incorporate the officers and members of Mount Salus Lodge, No. 42, of the I. O. O. F., of the town of Clinton, Hinds county.

An act to authorize the Probate Court of Winston county to order the sale of the slaves of Malinda Duncan, a lunatic of Winston county, in the hands of Willis Kelly, her guardian.

An act to amend an act incorporating the Cold Water Baptist Female Seminary, approved Feb. 20, 1852.

An act to incorporate the Good Hope Academy, in Leake county. And have found the same correctly enrolled.

Mr. Stuart called up Senate bill of the following title :

A bill to be entitled an act to abolish the office of State Commissioner, and for other purposes ;

Which was read the second time.

On motion of Mr. Ellett, the bill was indefinitely postponed.

The following message was received from the House of Representatives, through their clerk, Mr. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to amend an act incorporating the Cold-Water Baptist Female Seminary, approved Feb. 20, 1852.

An act to incorporate the officers and members of Mount Salus Lodge, No. 42, of the I. O. O. F., of the town of Clinton, Hinds county.

An act to incorporate Good Hope Academy, in the county of Leake.

An act to prohibit the sale of vinous and spiritous liquors within the geographical limits of township 5, of range 2 west, in the county of Hinds.

An act to authorize the Probate Court of Winston county to order the sale of the slaves of Malinda Duncan, a lunatic of Winston county, in the hands of Willis Kelly, her guardian.

Which are herewith presented to the Senate, for the signature of the President.

Mr. Drane introduced a bill of the following title :

A bill to be entitled an act to amend an act to incorporate the Mississippi Manufacturing Company, approved March 11, 1852 ;

Which was read the first time.

On motion of Mr. Drane, the rule requiring bills to be read on three several days, was suspended, the bill read the second time by title.

On motion of Mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to provide for the furnishing of the Executive mansion.

In which the concurrence of the Senate is desired.

Mr. Alcorn moved to take up House bill for repairing and furnishing the Executive mansion.

Which motion was adopted, and the bill read the first time.

On motion of Mr. Alcorn, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to increase the per diem of members of the Board of Police of Claiborne county ;

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up the House bill of the following title :

A bill to be entitled an act to amend an act to reduce into one the several acts heretofore passed, in relation to 16th sections, and common schools, so far as relates to the county of Hinds, approved March 1, 1850 ;

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act in relation to the proceeds of the sale of estrays in the county of Jefferson ;

Which was read the first time.

On motion of Mr. Ellett, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Arthur called up House bill of the following title :

A bill to be entitled an act in relation to Landlord and Tenant, in the city of Vicksburg, and the county of Warren ;

Which was referred to a select committee of three.

The President appointed, on said committee, Messrs. Arthur, Johnston, and Hemingway.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act to amend the 2d section of an act to prevent the importation and spreading of the small pox and other contagious diseases, passed June 10, 1822.

Which was read the first time.

On motion of Mr. Oliver, the rule requiring bills to be read on three several days, was suspended, and the bill read a second time by title.

On motion of Mr. Oliver, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston introduced a bill of the following title.

A bill to be entitled an act to amend an act entitled an act to establish an additional Inferior Court of Chancery in the State of Mississippi;

Which was read the first time.

On motion of Mr. Johnston, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

Mr. Alcorn introduced the following resolution, which was adopted:

Resolved, That the bill under discussion be referred to the committee on the Judiciary, with instructions to report a well considered proposition to the people of this State, for an amendment to the Constitution of Mississippi, proposing the abolition of the Chancery Courts of this State, as now organized, and providing that all suits now reaching them, with suits hereafter to be brought, shall be transferred, and brought in the Circuit Courts of this State, they being invested with full chancery jurisdiction.

Mr. Stuart from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles:

An act further to define the duties of the county treasurer and the commissioners of common schools of Chickasaw county.

An act further to extend the corporate limits of the town of Okalona, in the county of Chickasaw, and for other purposes.

An act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne.

An act to increase and change the times of the Probate Court of Issaquena county, and to increase the compensation of the judge of said court.

Mr. Acker presented the claim of George W. Hardy, formerly tax collector of Monroe county; which was referred to the committee on Claims.

The following message was received from his Excellency the Governor, by his private secretary, G. S. McMillan:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles:

An act to incorporate the Port Gibson Collegiate Academy, in the county of Claiborne.

An act further to extend the corporate limits of the town of Okalona, in the county of Chickasaw, and for other purposes.

An act further to define the duties of the county treasurer, and the commissioners of common schools, of Chickasaw county.

On motion of Mr. Greer, the Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

Mr. Greer introduced the following resolution, which was adopted:

Resolved, That the Senate will, this evening, take up House bills in their regular order, and act on no other business during the evening.

A bill to be entitled an act to increase the per diem allowance of Police members and Judge of Probate of Simpson county;

Was read the first time.

On motion of Mr. Banks, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Banks, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to limit the power of the board of county police of Hancock county in levying taxes in said county;

Was read the first time.

A bill to be entitled an act to authorize the Secretary of State to furnish the offices of the clerks of Probate and Circuit Courts of Hancock county with the State Reports, and such other books as are usually furnished to such offices by this State;

Was read the first time.

On motion of Mr. Ramsay, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to limit the power of the board of county police of Hancock county in levying taxes in said county, was, on motion of Mr. Ramsay, taken up, read the second and third times, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to authorize and empower the Board of Police of Madison county to distribute the school fund subject to distribution, in the hands of the treasurer of said county;

Was read the first time.

On motion of Mr. Nelson, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

A bill to be entitled an act to incorporate Alpha Circle No. 1, of Social Circles;

Was read the first time.

A bill to be entitled an act to incorporate the Octograde Seminary, in the county of Yallobusha ;

Was read the first time.

A bill to be entitled an act to remove the civil disabilities of Robert Sherles, a minor, of Hinds county, and for other purposes ;

Was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill was read a second time by its title.

Mr. Ellett moved an amendment, to add the name of James W. McClure thereto, which was adopted.

Mr. Alcorn offered an amendment, which was adopted.

Mr. Cobb moved the indefinite postponement of the bill, which was decided in the affirmative, as follows :

AYES—Mr. President, Messrs. Alcorn, Beene, Berry, Cobb, Drane, Greer, Graves, Hough, Monroe, Nelson, Oliver, Pope, Stuart, and Webb—15.

NAYS—Messrs. Acker, Arthur, Banks, Ellett, Johnston, Koger, and Pegues,—7.

A bill to be entitled an act to incorporate Friendship Academy, in the county of Panola ;

Was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Alcorn, the rule was further suspended, and the bill read the third time forthwith, by its title, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act to amend an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company ;

Was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time, forthwith, by its title.

On motion of Mr. Johnston, the rule was further suspended, and the bill read a third time by its title, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act declaring Alligator Bayou a navigable stream ;

Was read the first time.

On motion of Mr. Drane, the rule was dispensed with, and the bill read the second time by its title.

On motion of Mr. Drane, the rule was further suspended, and the bill read the third time, and its further consideration postponed until Saturday next.

A bill to be entitled an act for the relief of Joannah Garraway ;

Was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

A bill to declare First, Second and Third Bayous, in the county of Carroll, navigable streams ;

Was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time.

On motion of Mr. Oliver, the further consideration of the bill was postponed until Saturday next.

A bill to be entitled an act to incorporate the Amite County Railroad Company ;

Was read the first time.

On motion of Mr. Nelson, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act for the benefit of the citizens of the county of Green, in this State ;

Was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Johnston, the bill was referred to the Judiciary committee.

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, FEBRUARY 2, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Arthur presented the petition of sundry citizens of Warren county, which was referred to the standing committee on Propositions and Grievances.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The committee on Enrolled Bills have this day examined bills of the following titles :

An act to incorporate the Baptist Church at Enterprize, Clark county, Mississippi.

An act to incorporate the town of Clinton, in the county of Hinds.

An act to change the name of Cornelia Martha Boyle, to that of Cornelia Hill, and for other purposes.

An act to authorize the overseers of the poor of Tippah county to sell the land upon which the poor house is now situated in said county, and to buy other land in lieu thereof, for the location of a poor house.

An act to change the name of Bertha Meyers to Bertha Lavenburg, and for other purposes.

An act to authorize and provide for the transcribing of the records of the Circuit and Probate Courts of Wayne county.

An act providing the manner in which teachers of common schools, in the county of Copiah, shall present their claims to the school commissioners and for other purposes.

An act to change the name of Ella Moore to that of Ella Biggs, and for other purposes.

An act to grant to the Board of Police, of Tippah county, certain powers therein named ;

And have found the same correctly enrolled.

Mr. Webb introduced the following resolution, which was adopted :

Resolved, That the committee on county boundaries be instructed to enquire into the propriety and practicability of making a new county, composed of the corners of Pontotoc, Lafayette, Marshall and Tippah counties, and that they report by bill or otherwise.

Mr. Webb introduced the following resolution, which was adopted :

Resolved, That the special committee, raised for the purpose of reporting on proposed amendments to the Constitution be required to enquire into the expediency of so amending the Constitution as to give Justices of the Peace civil jurisdiction to the amount of one hundred dollars and criminal jurisdiction over petty crimes and misdemeanors.

Mr. Beene introduced the following resolution, which was adopted :

Resolved, That the committee on county boundaries be instructed to enquire into the expediency and practicability of forming a new county, composed of territory taken from the counties of Tishomingo, Itawamba, Pontotoc and Tippah, and that they report by bill or otherwise.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles :

An act providing the manner in which teachers of common schools in the county of Copiah shall present their claims to the School Commissioners, and for other purposes.

An act to change the name of Bertha Meyers to that of Bertha Lavenburg, and for other purposes.

An act to grant to the Board of Police, of Tippah county, certain powers therein named.

An act to authorize and provide for the transcribing of the records of the Circuit and Probate Courts of Wayne county.

An act to incorporate the Baptist Church at Enterprize, Clark county, Mississippi.

An act to change the name of Ella Moore to that of Ella Biggs, and for other purposes.

An act to incorporate the town of Clinton, in the county of Hinds.

An act to change the name of Cornelia Martha Boyle, to that of Cornelia Hill, and for other purposes.

An act to authorize the overseers of the poor of Tippah county to sell the land upon which the poor house is now situated in said county, and to buy other land in lieu thereof, for the location of a poor house.

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to amend the jury laws of this State, and for other purposes.

In which the concurrence of the Senate is desired.

The House of Representatives have given leave to the introduction of bills of the following titles :

A bill to be entitled an act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors, approved February 25, 1842.

A bill to be entitled an act to amend the attachment laws of this State.

A bill to be entitled an act enabling editors and publishers of newspapers the more readily to collect their dues.

A bill to be entitled an act to change the mode of practice in cases of foreign attachment in Chancery.

A bill to be entitled an act to protect and preserve the estates of persons sentenced to imprisonment in the Penitentiary for a term less than for life.

On motion of Mr. Drane, leave of absence was granted to Mr. Hemingway.

On motion of Mr. Arthur, leave of absence was granted to Mr. Adams.

Mr. Acker presented the claim of E. Strong, which was referred to the committee on Claims.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to.

MR. PRESIDENT.—The committee on Propositions and Grievances, to whom was referred the petition of Demsoy Pace and Fredonia Rutledge, have had the same under consideration, and beg leave to report, that according to Hutchinson's Code, page 501, the Circuit and Chancery Courts of this State, have full jurisdic-

tion over the subject matter referred to by the above named petitioners: Your committee, therefore, beg leave to be discharged from the further consideration of the same.

Mr. Pope introduced a bill of the following title:

A bill to be entitled an act to reduce the price of Chickasaw school land in Leake county.

Which was read the first time.

On motion of Mr. Pope, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title, and referred to the committee on Chickasaw School lands.

Mr. Nelson introduced a bill of the following title:

A bill to be entitled an act to amend an act to authorize and regulate county subscriptions for rail road stock.

Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Steele called up Senate bill to be entitled an act to attach section No. 4, township No. 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes;

Which was read the second time.

Mr. Oliver called up Senate bill to be entitled an act to repeal the 10th section of the 7th article of general provisions of the Constitution.

Which was read the second time.

Mr. Arthur offered the following amendment:

Amend first section by adding as follows: Provided, that this section shall not apply to the holders of State debt, known as the Planters' Bank Bonds, nor to citizens of this State, who may have claims against the State.

Mr. Alcorn moved to lay the amendment upon the table, which was decided in the affirmative, by ayes and noes as follows:

YEAS.—Messrs. Alcorn, Acker, Beene, Bennett, Banks, Berry, Drane, Ellett, Greer, Graves, Hough, Koger, Oliver, Pope, Pegues, Ramsay, Reynolds, Steele, Stuart and Webb—20.

NOES.—Messrs. Arthur, Cobb and Johnston—3.

On motion of Mr. Alcorn, the bill was ordered to be engrossed and made the special order for to-morrow.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The House of Representatives have adopted a memorial of the Legislature of the State of Mississippi to the Congress of the United States, in relation to a Stage route.

In which the concurrence of the Senate is desired.

Mr. Ellett called up Senate bill entitled an act to amend the Constitution of the State of Mississippi.

Which was read the third time and passed, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Beene, Bennett, Banks, Drane, Ellett, Graves, Hough, Johnston, Koger, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart and Webb.—21.

NOES.—Messrs. Acker, Cobb and Greer—3.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have given leave to the introduction of bills of the following titles :

A bill to be entitled an act to authorize the recording of powers of attorney, and for other purposes.

A bill to be entitled an act to change the rule of evidence and practice in the Circuit Courts of this State.

A bill to be entitled an act to amend the existing laws regulating the remedy by attachment.

A bill to be entitled an act to abolish the appearance term of causes in the Circuit Courts of this State.

A bill to be entitled an act to regulate proceedings against foreign insurance companies.

A bill to be entitled an act to change the mode of practice in cases of foreign attachment in Chancery.

A bill to be entitled an act to protect and preserve the estates of persons sentenced to imprisonment in the Penitentiary for a term less than for life.

A bill to be entitled an act amendatory of the revenue laws of the State, and for other purposes.

A bill to be entitled an act to amend an act entitled an act to secure the collection of taxes on delinquent lands, and for other purposes, approved March 9, 1850.

The House of Representatives have passed a bill to be entitled an act to authorize Donald McBean to build a bridge across Bernard's bayou, in Harrison county.

In which the concurrence of the Senate is desired.

Mr. Koger gave notice that he would, on to-morrow, introduce a bill to be entitled an act to incorporate the South Western Air Line Extension Rail Road Company.

Mr. Drane called up House bill entitled an act to change the time of holding the Circuit Courts in the sixth Judicial District, of the State of Mississippi, and for other purposes.

Which was read the second time.

Mr. Beene moved to amend by striking out all that part of the bill relating to the Vice-Chancery Court.

Pending the discussion, on motion of Mr. Webb,

The Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment, and resumed the consideration of the bill changing the time of holding the Circuit Courts of the sixth Judicial District.

The question was taken upon the amendment offered by Mr. Beene, and decided in the affirmative, by ayes and noes, as follows:

AYES.—Mr. President, and Messrs. Alcorn, Allen, Beene, Bennett, Drane, Ellett, Greer, Hough, Koger, Monroe, Nelson, Oliver, Pegues, Ramsay, Steele and Stuart—17.

NAYS.—Messrs. Acker, Arthur, Banks, Berry, Cobb and Johnston—6.

Mr. Cobb moved to amend the first clause of the first section, and insert at the end the following:

In the county of Lowndes, on the 14th Monday after the third Monday in February, and continue for two weeks if business requires, and no longer.

Mr. Steele moved to indefinitely postpone the further consideration of the bill, which was decided in the negative, by yeas and noes, as follows:

AYES.—Messrs. Cobb, Hough, Oliver, Pegues, Steele and Stuart.—6.

NAYS.—Mr. President, and Messrs. Alcorn, Acker, Arthur, Allen, Beene, Berry, Drane, Ellett, Greer, Johnston, Koger and Monroe—13.

On motion of Mr. Alcorn, the bill was referred to a select committee of three.

The President appointed on said committee, Messrs. Acker, Drane and Johnston.

The following message was received from his Excellency, the Governor, by his private Secretary, G. S. McMillan:

MR. PRESIDENT.—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day signed and approved a bill with the following title, to-wit:

An act to incorporate Thomastown, in the county of Leake.

I am also instructed by his Excellency to transmit to the Senate a message appointing a State Commissioner.

Mr. Johnston introduced the following resolution, which lies over one day.

Resolved, by the Legislature of the State of Mississippi, That permission is hereby given to the officers of the United States land office at Jackson, Mississippi, to occupy as a Land Office, room No. 5, in the State House, it being the one formerly occupied as a depository of the State arms.

Mr. Arthur, from a select committee, made the following report, which was received and agreed.

MR. PRESIDENT.—The select committee have instructed me to report back the bill entitled

An act in relation to landlord and tenant, in the City of Vicksburg, and county of Warren,

With an amendment, herewith submitted, as an additional section, recommending its passage, and ask to be discharged from the further consideration of the subject.

The bill was then read the third time as amended, and passed.

Ordered, that the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT.—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles :

An act to prohibit the sale of vinous and spiritous liquors within the geographical limits of township 5, of range 2 west, in the county of Hinds.

An act to incorporate the officers and members of Mount Salus Lodge, No. 42, of the I. O. O. F., of the town of Clinton, Hinds county.

An act to authorize the Probate Court of Winston county to order the sale of the slaves of Malinda Duncan, a lunatic, of Winston county, in the hands of Willis Kelly, her guardian.

An act to amend an act incorporating the Cold Water Baptist Female Seminary, approved February 20, 1852.

An act to incorporate Thomastown, in Leake county.

An act to incorporate the Good Hope Academy, in the county of Leake.

On motion of Mr. Drane,

The Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, FEBRUARY 3, 1854.

The Senate met pursuant to adjournment,

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles :

An act to incorporate the Amite County Railroad Company.

An act to limit the power of the board of county police of the county of Hancock, in levying taxes in said county.

An act to repeal an act entitled an act to reduce the per diem allowance of the members of the Board of Police and Judge of Probate, so far as the same relates to Sunflower county, approved Feb. 23, 1846.

An act to authorize the Secretary of State to furnish the offices

of the clerks of the Probate and Circuit Courts of the county of Hancock with the State Reports, and such other books as are usually furnished to such offices by the State.

An act in relation to the proceeds of the sale of estrays in the county of Jefferson.

An act to incorporate Friendship Academy, in the county of Panola.

An act for the relief of Joanna Garraway.

An act to amend an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850.

An act to provide for the furnishing of the Executive mansion.

An act to increase the per diem of members of the Board of Police of Claiborne county.

An act to amend an act entitled an act to reduce into one the several acts heretofore passed, in relation to 16th sections and common schools, so far as relates to the county of Hinds, approved March 1, 1850.

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have adopted a memorial of the Legislature of the State of Mississippi, to aid in the construction of the Amite County Railroad.

In which the concurrence of the Senate is desired.

Mr. Ellett called up Senate bill entitled an act to regulate the mode of selecting and impannelling grand juries ;

Which was read the third time.

Mr. Oliver offered an amendment, by way of ryder, which was adopted, and the bill as amended, passed.

Ordered, That the title thereof stand as stated.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act for the benefit of the citizens of Green county, in this State, and have adopted an amendment thereto, which is herewith submitted, and have instructed me to report back said bill and recommend its passage, and ask to be discharged from the further consideration thereof.

The bill, as amended by the committee, was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have examined bills of the following titles :

An act in relation to the proceeds of the sale of estrays in the county of Jefferson.

An act to authorize the Secretary of State to furnish the offices

of the clerks of the Probate and Circuit Courts of the county of Hancock with the State Reports, and such other books as are usually furnished such offices by the State.

An act to repeal an act entitled an act to reduce the per diem allowance of members of the Board of Police and Judge of Probate, so far as the same relates to Simpson county, approved Feb. 23, A. D. 1846.

An act to amend an act entitled an act to reduce into one the several acts heretofore passed, in relation to sixteenth sections and common schools, so far as relates to the county of Hinds, approved March 1, 1850.

An act to increase the per diem of members of the Board of Police of Claiborne county.

An act to provide for the furnishing of the Executive mansion.

An act to amend an act entitled an act to incorporate Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850.

An act for the relief of Joanna Garraway.

An act to incorporate Friendship Academy, in the county of Panola.

An act to limit the power of the Board of county Police of the county of Hancock in levying taxes in said county.

An act to incorporate the Amite County Railroad Company.

And find the same correctly enrolled.

Mr. Webb, from the committee on Engrossed Bills, made the following report:

MR. PRESIDENT—The committee on Enrolled Bills have this day examined a bill to be entitled an act to repeal the 10th section of the 7th article of the general provisions of the Constitution, and have found the same correctly engrossed.

Mr. Oliver introduced the following joint resolution, which was read the first and second times, and passed.

Resolved, By the Senate, the House of Representatives concurring, that the Auditor of Public Accounts, be and he is hereby authorized to cause shelves to be put up in his office for assessment rolls, and boxes to be placed on the desk, to hold papers belonging to his office, and when the work is performed, to draw his warrant on the Treasury for payment therefor.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title:

A bill to be entitled an act for the relief of the grand-children of the late Richard Ross, deceased.

In which the concurrence of the Senate is desired.

Mr. Koger introduced a bill of the following title:

A bill to be entitled an act to incorporate the Southwestern Air Line Extension Railroad Company;

Which was read the first time.

On motion of Mr. Koger the rule was suspended, and the bill read the second time by title, and referred to the committee on Internal Improvements.

Mr. Acker, from a select committee, made the following report, which was received and agreed to, and the bill the first time.

MR. PRESIDENT—The committee to whom was referred a bill entitled an act to change the time of holding the Circuit Courts of the 6th Judicial District of the State of Mississippi, and for other purposes, have had the same under consideration, and have instructed me to report the same back to the Senate, with an amendment, and recommend its passage.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Acker, the rule was further suspended, and the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Stuart moved to take up House bill with the following title :

A bill to be entitled an act to repeal an act entitled an act to incorporate the Columbia Academy, in the county of Marion, and for other purposes ;

Which was read the first time.

On motion of Mr. Stuart, the rule was suspended, the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Stuart, Banks, and Nelson.

Mr. Stuart introduced a bill of the following title :

A bill to be entitled an act to repeal an act providing for the application of the common school funds, in the county of Marion, approved March 3, 1848.

Which was read the first time.

On motion of Mr. Stuart, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Stuart, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Webb introduced a bill of the following title :

A bill to be entitled an act to amend the laws on the subject of garnishments and attachments ;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, and the bill read a second time by title, and referred to the Judiciary committee.

Mr. Hough introduced the following joint resolution, which lies over one day :

Resolved, (the House of Representatives concurring,) That the

two Houses of the present Legislature will adjourn, *sine die*, on Thursday, the 2d day of March next, at 12 o'clock, noon.

On motion of Mr. Alcorn, the Senate proceeded to the consideration of the orders of the day,

A bill to be entitled an act to provide for the further issue of swamp land scrip, for the purpose of aiding in the completion of Levees upon the Mississippi river.

On motion of Mr. Johnston, the Senate went into committee of the whole, on said bill, Mr. Berry in the chair.

On motion of Mr. Ramsay, the committee rose, reported progress, and asked leave to sit again at 3 o'clock; which report,

On motion of Mr. Berry, was received and agreed to.

On motion of Mr. Berry,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

The President laid before the Senate a message from the Governor, appointing Robert Josselyn, State Commissioner.

On motion of Mr. Greer, the Senate resolved itself into Executive session.

And on motion of Mr. Brene, the Senate advised and consented to the appointment.

On motion of Mr. Greer, the Executive session was dissolved.

On motion of Mr. Johnston, the Senate then resolved itself into committee of the whole, on the bill in relation to the issue of swamp land scrip; Mr. Berry in the chair.

Mr. Johnston moved to amend, after the words "Issaquena," by inserting the word "Yazoo," in the fourth line in the first section. In the fifth line after the words "700," insert the words "seventy-five."

And after the word "scrip," in the 21st line, insert the following words: "And seventy-five thousand acres of land scrip to the county of Yazoo; which was adopted.

On motion of Mr. Drane, the committee rose, reported progress, and asked leave to sit again on Monday next.

On motion of Mr. Berry, the report was received and agreed to.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have adopted the resolutions of the Senate, in relation to the administration of Franklin Pierce.

Which are herewith returned to the Senate.

The House of Representatives have passed a bill, of the following title:

A bill to be entitled an act to authorize aliens to acquire and hold real estate in the State of Mississippi.

In which the concurrence of the Senate is desired.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles :

An act to authorize the overseers of the poor of Tippah county to sell the land upon which the poor house is now situated, in said county, and to buy other land in lieu thereof, for the location of a poor house.

An act for the relief of Joanna Garraway.

An act to provide for the furnishing of the Executive mansion.

An act to amend an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850.

An act to incorporate Friendship Academy, in the county of Panola.

An act to authorize the Secretary of State to furnish the offices of the clerks of the Probate and Circuit Courts of the county of Hancock with the State Reports, and such other books as are usually furnished such offices by the State.

An act to increase the per diem of members of the Board of Police of Claiborne county.

An act in relation to the proceeds of the sale of estrays in the county of Jefferson.

An act to repeal an act entitled an act to reduce the per diem allowance of members of the Board of Police and Judge of Probate, so far as the same relates to Simpson county, approved Feb. 23, A. D. 1846.

An act to limit the power of the Board of county Police of the county of Hancock in levying taxes in said county.

An act to authorize and provide for the transcribing of the records of the Circuit and Probate Courts of Wayne county.

An act to incorporate the Baptist Church at Enterprize, Clark county, Miss.

An act to grant to the Board of Police of Tippah county, certain powers therein named.

An act to change the name of Bertha Myers to Northa Lavenburgh, and for other purposes.

An act to change the name of Cornelia Martha Boyle, to that of Cornelia Hill, and for other purposes.

An act to amend an act entitled an act to reduce into one the several acts heretofore passed, in relation to sixteenth sections and common schools, so far as relates to the county of Hinds, approved March 1, 1850.

An act to incorporate the town of Clinton, in the county of Hinds.

An act to incorporate the Amite County Railroad Company.

An act providing the manner in which teachers of common schools in the county of Copiah shall present their claims to the school commissioners, and for other purposes.

An act to change the name of Ella Moors to that of Ella Biggs, and for other purposes.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act for the erection of a Light House on Pascagoula Bay ;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill of the following title :

A bill to be entitled an act to incorporate the town of Webster, in the county of Winston ;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Koger, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer called up Senate bill of the following title :

A bill to be entitled an act to change the name of Jane Elvira Harris, to that of Jane Elvira Decker.

On motion of Mr. Greer, the Senate concurred in the amendments made by the House.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to incorporate the Yazoo City Insurance Company ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Johnston, Arthur, and Banks.

Mr. Steele called up Senate bill of the following title :

A bill to be entitled an act to attach sec. 4, town. 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Oliver moved to take up memorial to Congress of the U. S. in relation to a mail route ;

Which, on motion of Mr. Oliver, was adopted.

Mr. Banks called up Senate bill of the following title :

A bill to be entitled an act for the relief of next of kin of Martin J. Malloy, of Copiah county.

Mr. Alcorn offered an amendment to the amendment, by the House, which was adopted.

On motion of Mr. Banks, the Senate concurred in the amendment of the House, as amended by the Senate.

On motion of Mr. Beene,

The Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, FEBRUARY 4, 1854.

The Senate met pursuant to adjournment.

The Senate was opened with prayer by the Rev. Mr. Russell.

The Journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act further to amend the several acts incorporating the Southern Rail Road Company;

Which is herewith returned to the Senate.

On motion of Mr. Steele, leave of absence was granted to Mr. Ellett.

On motion of Mr. Hough, leave of absence was granted to Mr. Graves.

Mr. Ramsay presented the memorial of C. J. McKae, and John Egerton, in relation to the Mobile and New Orleans Rail Road, and the Ponchartrain Rail Road, with a bill to be entitled an act to amend an act to incorporate the Mobile and New Orleans Rail Road Company, approved February 25, 1852.

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second time by title, and referred to the committee on Internal Improvements.

Mr. Alcorn, from the committee on the Judiciary, made the following report, which was received and agreed to, and the bill laid on the table:

MR. PRESIDENT—The Judiciary committee, who have had under their consideration a resolution of the Senate instructing said committee to report a bill providing for an amendment to the Constitution of the State of Mississippi, in relation to the Chancery Courts, have, in accordance with the direction of said resolution, instructed me to report a bill providing that the proposition for an amendment to the 16th section of the 4th article of the Constitu-

tion be submitted to the Electors of this State at the ensuing election.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to, and the amendment made to the bill by the committee was adopted :

MR. PRESIDENT.—The committee on the Judiciary have had under consideration a bill to be entitled an act authorizing the taking of depositions of witnesses residing in the State, in certain cases, and have adopted an amendment thereto, and have instructed me to report back said bill with the amendment, and recommend the passage thereof, as amended. All which is respectfully submitted.

The bill was then read the second time by title, and ordered to be engrossed, and made the order of the day for Monday next.

Mr. Johnston, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT.—The select committee to whom was referred a bill to be entitled an act to incorporate the Yazoo City Insurance Company, have had the same under consideration, and have instructed me to report back the same without amendment, and recommend its passage.

On motion of Mr. Johnston, the bill was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Berry introduced a bill of the following title :

A bill to be entitled an act to repeal an act entitled an act to prescribe the mode of applying the school funds of Tippah county, approved March 8, 1850, and for other purposes.

Which was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur offered the following resolution, which was adopted :

Resolved, That the Finance committee be instructed to enquire into the expediency of so amending the Revenue laws as to require an ad valorem tax to be levied and paid on all goods, wares and merchandize brought into this State, instead of the amount sold by any merchant.

Mr. Bennett introduced a bill of the following title :

A bill to be entitled an act supplemental to an act entitled "an act to provide for the more prompt payment of the fees of witnesses summoned on behalf of the State," approved March 16th, 1852;

Which was read the first time.

On motion of Mr. Bennett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Bennett, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Bennett introduced a bill of the following title :

A bill to be entitled an act to remove the civil disabilities of Levi Coe, of Rankin county;

Which was read the first time.

The President declared, that, as the bill was a part of the subject of the bill, which was indefinitely postponed, it was out of order.

An appeal being taken from the decision of the chair, the chair was sustained.

Mr. Arthur introduced a bill of the following title :

A bill to be entitled an act to annex a portion of Yazoo county, to the county of Warren ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act for the relief of Davis H. Morgan, late Sheriff of Monroe county ;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title, and referred to the committee on Claims.

Mr. Keger called up House bill of the following title :

A bill to be entitled an act to prohibit the circulation of bank bills of less denomination than five dollars, in this State ;

Which was read the first time.

On motion of Mr. Keger, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn moved to amend by inserting after the words, "bank bill," in the fifth line from the top, the following :

"Or any certificate of deposit, issued by any Life and general Insurance company of this or other States."

On motion of Mr. Pope, the further consideration of the subject was postponed until Tuesday next, at 12 o'clock.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act further to amend the several acts incorporating the Southern Rail Road Company.

An act to relinquish to the government of the United States title and jurisdiction over a lot of ground as a site for the erection of a

Light House at the mouth of the Pascagoula river, in Jackson county ;

Also, a resolution in relation to the Administration of Franklin Pierce ;

Which are herewith presented to the Senate for the signature of the President.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day signed bills of the following titles, to-wit :

An act to authorize the overseers of the poor of Tippah county to sell the land upon which the Poor House is now situated in said county, and to buy other land in lieu thereof, for the location of a Poor House.

An act to change the name of Cornelia Martha Boyle, to that of Cornelia Hill, and for other purposes.

His Excellency has also signed and approved a resolution with the following title, to-wit :

A resolution of the Legislature of the State of Mississippi, in relation to the Administration of Franklin Pierce.

Also, a bill to be entitled an act further to amend the several acts incorporating the Southern Rail Road Company.

Mr. Stewart from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined a bill and resolutions of the following titles :

An act further to amend the several acts incorporating the Southern Rail Road Company.

Resolutions of the Legislature of the State of Mississippi, in relation to the administration of Franklin Pierce.

An act to relinquish to the United States title and jurisdiction over a lot of ground as a site for the erection of a Light House at the mouth of the Pascagoula river, in Jackson county ;

And have found the same correctly enrolled:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his signature and approval, bills of the following titles :

An act further to amend the several acts incorporating the Southern Rail Road Company.

An act to relinquish to the United States, title and jurisdiction over a lot of ground as a site for the erection of a Light House at the mouth of Pascagoula river, in Jackson county.

Resolutions of the Legislature of the State of Mississippi, in relation to the administration of Franklin Pierce.

On motion of Mr. Webb,

The Senate adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 6, 1854.

The Senate met pursuant to adjournment,
And was opened with prayer by Rev. Mr. Russell.

The Journal of Saturday was read.

Mr. Johnston presented the petition of sundry citizens of Yazoo county;

Which was referred to a select committee of three.

The President appointed on said committee, Messrs. Johnston, West and Pope.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles:

An act to change the name of Jane Elvira Harris to that of Jane Elvira Deaver.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to a stage route.

An act for the benefit of the citizens of the county of Green, in this State.

An act in relation to landlord and tenant in the City of Vicksburg and the county of Warren, and for other purposes.

An act to incorporate the town of Webster, in the county of Winston;

And have found the same correctly enrolled.

Mr. Stuart, from a select committee, made the following report, which was received and agreed to, and the amendment made by the committee adopted:

MR. PRESIDENT—The select committee to whom was referred a house bill to be entitled an act to repeal an act to incorporate the Columbia Academy, and for other purposes, have had the same under consideration, and have instructed me to report the same back to the Senate, with an amendment, and recommend its passage.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Hough called up joint resolution of Senate in relation to the adjournment of the Legislature.

Mr. Alcorn moved to postpone the resolution until the 20th February;

Which was lost.

Mr. Bennett moved to strike out Thursday, the 2nd, and insert Saturday, the 4th;

Which was lost.

The resolution was then adopted.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act for the relief of Samuel Hales, of Chickasaw county.

A bill to be entitled an act to incorporate the St. Mary's Orphan Asylum, a charitable and educational institution in the City of Natchez.

A bill to be entitled an act to legalize the return of delinquent lands of Amite county.

A bill to be entitled an act to establish a system of common schools in the county of Hancock.

A bill to be entitled an act to authorize the Mayor and Aldermen of the City of Jackson to increase the rate of taxation on real estate in said city.

A bill to be entitled an act to incorporate the Central Female Institute at Clinton, Hinds county.

A bill to be entitled an act for the relief of Jefferson L. Wofford, of Holmes county.

A bill to be entitled an act to incorporate the Mississippi Female College, in the town of Lexington, Holmes county.

A bill to be entitled an act for the relief of Kitty and John Curran, jr.

A bill to be entitled an act to change the time of holding the Circuit Court in Harrison county.

A bill to be entitled an act to change the name of Francis Jane Worrick to that of Francis Elizabeth Hatch.

A bill to be entitled an act for the improvement of the navigation of Little Deer Creek, in Langhorne county.

A bill to be entitled an act to change the name of Harriet M. Parker, to Harriet M. Sheriff, and for other purposes.

A bill to be entitled an act authorizing the drawing of a special jury for the September term of the Circuit Court of the county of Kemper, for the year 1864;

In which the concurrence of the Senate is desired.

The House of Representatives have concurred in the amendments made by the Senate to House bills of the following titles:

A bill to be entitled an act in relation to landlord and tenant in the City of Vicksburg.

A bill to be entitled an act for the relief of the citizens of the county of Greene, in this State.

A bill to be entitled an act for the erection of a Military Asylum on Pascagoula Bay.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act for the relief of Jacob E. Montgomery and Thomas Smith, and for other purposes;

Which is herewith returned to the Senate.

The House of Representatives have agreed to the amendment

made by the Senate to the House bill entitled an act to increase the revenue of the county of Hinds.

The bill with the amendment is herewith returned to the Senate.

The Speaker of the House of Representatives has signed bills of the following titles:

An act to incorporate the town of Webster in the county of Winston.

An act for the benefit of the citizens of Green county, in this State.

An act in relation to landlord and tenant in the City of Vicksburg, and the county of Warren, and for other purposes.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, in relation to a stage route.

An act to change the name of Jane Elvira Harris to that of Jane Elvira Deaver.

Which are herewith presented to the Senate for the signature of the President.

Mr. Drane called up Senate bill in relation to the reclamation of the swamp and overflowed public lands, and for the improvement of the navigation of various rivers and streams in this State.

On motion of Mr. Drane, the bill was referred to a select committee of three.

The President appointed on said committee, Messrs. Drane, West and Pope.

Mr. Keger gave notice that he would, on to-morrow, introduce a bill to be entitled an act to annex Neshubee county to the 6th Judicial District.

The Senate then proceeded to the consideration of the orders of the day—

A bill to be entitled an act to repeal the 10th section of the 7th article of the general provisions of the Constitution;

Which was read the third time, and passed by yeas and noes, as follows:

AYES.—Mr. President, and Messrs. Alcorn, Allen, Beene, Berry, Drane, Greer, Hough, Keger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Reynolds, Stuart, West and Webb—20.

NAYS.—Messrs. Acker, Arthur, Bennett, Cobb, Farrar and Johnston—6.

The bill having received two thirds of the votes cast, the President declared the bill to have passed by the Constitutional majority.

Mr. Acker having taken an appeal from the decision of the Chair, the Chair was sustained by yeas and nays, as follows:

AYES.—Messrs. Alcorn, Allen, Beene, Berry, Drane, Greer, Hough, Johnson, Keger, Monroe, Oliver, Pope, Pegues, Ramsay, Reynolds, Stuart, West and Webb—18.

NAYS.—Messrs. Acker, Arthur, Bennett, Cobb, Farrar, McWillie and Nelson—7.

Mr. Alcorn, called from the table a bill to be entitled an act to

amend the Constitution of the State of Mississippi, in relation to Chancery Courts;

Which was read the third time and passed, by ayes and nays, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Allen, Beene, Bennett, Berry, Drane, Farrar, Greer, Koger, Monroe, Nelson, Oliver, Pope, Pegues, Reynolds and Webb.—18.

NAYS.—Messrs. Acker, Cobb, Johnston and McWillie.—4.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to provide for taking testimony by interrogatories ;

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, the bill read the second time by title, and referred to Judiciary committee.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to legalize and make valid and sustain the acts of David Eakin, Robert M. Cade, and Amze P. Boyd, as tax collectors of Attala county.

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, the bill read the second time by title, and referred to Judiciary committee.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to legalize acknowledgments of deeds taken before a member of the Board of Police of any county in this State heretofore, or hereafter made for lands lying in a different county;

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, the bill read the second time by title, and referred to Judiciary committee.

Mr. McWillie introduced a bill of the following title :

A bill to be entitled an act concerning the acknowledgment of deeds ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, the bill read the second time by title, and referred to the Judiciary committee.

On motion of Mr. Alcorn,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate proceeded to the consideration of the orders of the day—

A bill to be entitled an act for the benefit of married women.

On motion of Mr. Koger, the bill was laid on the table.

A bill to be entitled an act to empower the Board of Police of

Pike county to remove the Lundy free negroes, living in said county, to Liberia.

Was read the second time.

On motion of Mr. Nelson, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

A bill to be entitled an act further to amend an act entitled an act to incorporate the Mississippi Central Rail Road Company, approved March 10, 1852.

Mr. Koger moved to strike out, in section six, the words "ten per centum," and insert the words, "eight per centum."

A division of the question being called for—question was upon striking out, and decided in the affirmative.

The question was then taken upon inserting, and decided in the negative, by ayes and nays, as follows:

AYES.—Messrs. Berry, Cobb, Farrar, Greer, Koger, McWillie, Pegues, West and Webb.—9.

NAYS.—Mr. President, and Messrs. Alcorn, Acker, Allen, Beene, Drane, Johnston, Monroe, Nelson, Oliver, Pope and Ramsay—12.

Mr. Drane moved to strike out of the 6th section all after the word "completed;"

Which was adopted.

Mr. Oliver moved to strike out the 8th section;

Which was lost.

On motion of Mr. West, the rule was suspended, and the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Webb, from the committee on Engrossed Bills, made the following report:

MR. PRESIDENT.—The committee on Engrossed Bills have this day examined a bill authorizing the taking of depositions of witnesses residing in this State, in certain cases, and have found the same correctly engrossed.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY 7, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to incorporate the Yazoo City Insurance Company.

An act for the relief of Jacob E. Montgomery, and Thomas Smith.

An act to relinquish to the U. S. jurisdiction over a lot of ground as a site for the erection of a military asylum at East Pascagoula, Jackson county, State of Mississippi.

Which are herewith presented to the Senate, for the signature of the President.

The House of Representatives have concurred in the amendment made by the Senate to the House bill entitled an act to repeal an act entitled an act to incorporate the Columbia Academy, in the county of Marion.

Mr. Arthur presented the petition of sundry ladies of the city of Jackson, in relation to temperance.

Mr. Koger moved that the petition be printed; which was adopted.

Mr. Bennett moved that the names attached to the petition, be printed, which motion was carried.

Mr. West moved that the vote just taken, to print the names attached to the petition, be re-considered, which motion was carried.

Mr. Bennett then withdrew his motion to print the names.

The question was then taken upon printing 4,000 copies of the petition, which was decided in the affirmative, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Alcorn, Acker, Arthur, Allen, Beene, Bennett, Berry, Cobb, Farrar, Greer, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Ramsay, West, and Webb—20.

NAYS—Messrs. Drane, Oliver, Pegues, Reynolds, Steele, and Stuart—3.

The petition was then referred to the select committee on temperance.

On motion of Mr. Koger, Messrs. McWillie and Webb was added to said committee.

The President presented the petition of sundry citizens of Kemper county, in relation to temperance.

Mr. Drane moved the printing of 1,000 copies of the petition, and was decided in the negative, by ayes and noes, as follows:

YEAS—Messrs. Finks, Hough, and Pope—3.

NAYS—Mr. President, Messrs. Alcorn, Acker, Arthur, Allen, Bennett, Beene, Berry, Cobb, Drane, Farrar, Greer, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart, West, and Webb—25.

The petition was then referred to the committee on temperance.

Mr. Webb presented the petition of Mary A. Duncan, of Pont-

toe county, which was referred to the select committee of Messrs. Webb, Reynolds, and Beene.

Mr. Acker, from the committee on Internal Improvements, made the following report, which was received :

MR. PRESIDENT—The standing committee on Internal Improvements to whom was referred a bill entitled an act to amend an act to incorporate the Mobile and New Orleans Railroad Company, approved Feb. 25, 1852, have had the same under consideration, and have made sundry amendments thereto, and have instructed me to report the said bill, as amended, back to the Senate and recommend its passage.

Mr. Alcorn moved to amend the amendment made by the committee, as follows, which motion was carried :

Strike out the word "exclusive," in the second section ; also, the "proviso," reported by the committee.

Mr. Cobb moved to strike out the amendment made by the committee to the bill, which motion was lost.

The question was then taken, on agreeing to the report, and carried.

The question was then taken on the adoption of the first amendment made by the committee, and carried.

The question was taken on the adoption of the second and third amendments made by the committee, and carried.

Pending the discussion of the fourth amendment,

On motion of Mr. West,

The Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to incorporate the Red Banks Female Seminary, and for other purposes.

A bill to be entitled an act for the relief of William Graham, and for other purposes.

A bill to be entitled an act to incorporate Westminster Academy, in the county of Tippah.

A bill to be entitled an act to amend the law in reference to estrays and the office of ranger, in the county of Warren.

A bill to be entitled an act for the benefit of Indiana Burnett, of Warren county.

A bill to be entitled an act to incorporate the Rector Church Wardens and Vestrymen of St. Paul's Church, at Woodville.

A bill to be entitled an act to incorporate the Trustees of Silver Creek Church, in the county of Yazoo.

A bill to be entitled an act to incorporate the Coffeeville and Pittsboro' Plank Road Company.

A bill to be entitled an act to authorize the clerk of the Circuit Court of Yallobusha county to index the books and re-file the papers in his office, &c.

A bill to be entitled an act to incorporate the Coffeeville Female Institute.

A bill to be entitled an act to authorize the Board of Police of Tunica county to increase the county tax.

A bill to be entitled an act to provide for the construction and keeping in repair the public roads in Tunica county.

A bill to be entitled an act to incorporate Hillsboro' Branch Railroad Company.

A bill to be entitled an act for Jones county and town of Ellisville.

In which the concurrence of the Senate is desired.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to change the title of an act supplemental to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved March 16, 1852.

A bill to be entitled an act to repeal an act providing for the application of the common school funds, in the county of Marion, approved March 3, 1848.

A bill to be entitled an act to empower the Board of Police of Pike county, to remove the sundry free negroes, living in said county, to Liberia.

A bill to be entitled an act to annex a portion of Yazoo county to the county of Warren.

A bill to be entitled an act to repeal an act entitled an act to prescribe the mode of applying the school funds of Tippah county, approved March 9, 1850, and for other purposes.

A bill to be entitled an act to attach sec. No. 4, town 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes.

Which are herewith returned to the Senate.

The House of Representatives have concurred in the amendment made by the Senate, to the House bill entitled,

An act to authorize the Alabama and Noxubee, (Mississippi) Railroad Company to extend their road into the State of Mississippi, and for other purposes.

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to repeal the several acts of this State, in relation to attorneys and counsellors at law.

In which the concurrence of the Senate is desired.

The Senate resumed the consideration of the Mobile and New Orleans Railroad bill.

The question was taken upon the adoption of the fourth amendment, made by the committee to the bill, and decided in the affirmative by ayes and noes, as follows:

AYES—Mr. President, Messrs. Alcorn, Banks, Beene, Drane, Farrar, Johnston, Monroe, Nelson, Oliver, Pope, Steele and Stuart—13.

NAYS—Messrs. Acker, Arthur, Bennett, Cobb, Greer, Hough, Koger, McWillie, Pegues, Ramsay, Webb and West—12.

On motion of Mr. Ramsay, the bill was ordered to be engrossed, and made the order of the day for tomorrow.

Mr. Stuart from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles:

A bill to be entitled an act for the relief of Jacob E. Montgomery, and Thomas Smith, and for other purposes.

An act to relinquish to the United States, jurisdiction over a lot of ground as a site for the erection of a military asylum at East Pascagoula, Jackson county, State of Mississippi.

An act to incorporate the Yazoo City Insurance Company.

And found the same correctly enrolled.

Mr. Drane, from a select committee, made the following report:

MR. PRESIDENT—The select committee, to whom was referred the bill to be entitled,

An act to amend an act for the reclamation of the swamp and overflowed public lands, and for the improvement of the navigation of various rivers and streams in this State, approved March 16, 1852,

Have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

The question was taken on suspending the rule, that the bill might be read the third time, and put upon its passage, which was lost.

Mr. Johnston moved to re-consider the vote taken yesterday, on the bill to amend the charter of the Central Railroad Company.

Pending said motion,

On motion of Mr. McWillie,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, FEBRUARY 8, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit :

An act to incorporate the town of Webster in the county of Winston.

An act in relation to landlord and tenant, in the City of Vicksburg and the county of Warren, and for other purposes.

An act to change the name of Jane Elvira Harris to that of Jane Elvira Deaver.

An act to incorporate the Yazoo Insurance Company.

An act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of a Military Asylum, at East Pascagoula, Jackson county, State of Mississippi.

An act for the relief of Jacob E. Montgomery and Thomas Smith, and for other purposes.

An act for the benefit of the citizens of Green county, in this State.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to a Stage route.

They have also examined bills of the following titles, to-wit :

An act to repeal an act entitled an act to incorporate the Columbia Academy in the county of Marion, and for other purposes.

An act to authorize the Alabama and Noxubee (Mississippi) Railroad Company to extend their railroad into the State of Mississippi, and for other purposes, and have found the same correctly enrolled.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT.—The committee on Engrossed Bills have this day examined the amendments made to a bill to be entitled an act to amend an act to incorporate the Mobile and New Orleans Rail Road Company, approved 25th February, 1852, and have found the same correctly engrossed.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles :

An act to authorize the Alabama and Noxubee (Mississippi) Rail Road Company, to extend their rail road into the State of Mississippi, and for other purposes.

An act to repeal an act entitled an act to incorporate Columbia Academy, in the county of Marion, and for other purposes;

Which are herewith presented to the Senate for the signature of the President.

Mr. Berry, from the committee on Temperance, made the following report, which was received and agreed to, and laid upon the table :

MR. PRESIDENT.—The committee on Propositions and Grievances, to whom was referred the petition of the Baptist State Convention, and sundry other petitions, from various portions of the State, have had the same under consideration, and beg leave to report :

That the number and respectability of the petitioners, entitle their prayer to mature deliberation and profound respect. Your committee fully concur in opinion with the numerous petitioners, that the retailing of intoxicating drinks exerts a baleful influence upon the morals of men, and is wholly at war with the peace, good order, and best interests of society. But your committee are not prepared to recommend the passage of a prohibitory law against the introduction or manufacture of spiritous liquors within this State.

An extreme measure of this character, would, doubtless, be regarded by many as an abuse of legislative power, and as a violation of the rights of private citizens. In a free government like ours, laws are founded upon the public will, and must either *stand* or *fall*, before this sovereign tribunal. To pass laws, therefore, unsustained by public opinion, would not only be impotent and useless, but would, in their opinion, result in a retrograde movement, and thereby *defeat* the very object intended by the friends of reform. Your committee, with due regard for the prayer of your petitioners, and with what they conceive to be sound policy, recommend that this delicate question be submitted to the people themselves. Let every community have a fair opportunity of deciding either *for* or *against* retailing spiritous liquors; and when the will of the majority is distinctly pronounced, all good citizens will obey. Nor have your committee any fears about the final result. They believe that a majority in every enlightened neighborhood will regard 'tipling houses,' not only as public nuisances, but as *potent engines* for the destruction of "life, reputation and property." And thus, by the quiet exercise of an acknowledged right, may the evil complained of be *removed*, and our growing and prosperous State *delivered* from a most fearful and desolating scourge. Your committee, therefore, beg leave to report by bill, and recommend its passage.

Mr. Beene, from the committee on the Judiciary, made the following report, which was received and agreed to :

MR. PRESIDENT.—The committee on the Judiciary have had under consideration a bill to be entitled an act to exempt one hun-

dred bushels of corn from levy and sale under execution, and have instructed me to report the same back to the Senate without any recommendation, and ask to be discharged from the further consideration of the same. All which is respectfully submitted.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to.

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to repeal an act to prevent the sacrifice of real estate sold under execution, decrees in Chancery, and deeds of trust, passed February 28, 1842, and have adopted an amendment thereto, and have instructed me to report said bill with the amendment, and recommend the passage thereof.

The question was taken upon the adoption of the amendment made by the committee to the bill, and carried.

The bill was then read the third time and passed.

Mr. Beene moved to strike out the latter clause of the title of the bill;

Which motion was adopted.

Ordered, that the title thereof stand as amended.

Mr. Beene, from the committee on the Judiciary, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have instructed me to report back to the Senate the bill to be entitled an act for the relief of Elizabeth A. Long, and ask to be discharged from the further consideration thereof.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to repeal article 9, of chapter 53, Hutchinson's Code, and have instructed me to report the same back to the Senate, without amendment, with a recommendation that the same do pass, and ask to be discharged from the further consideration thereof.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT.—The committee on the Judiciary have had under consideration a bill to be entitled an act to provide for taking testimony by interrogatories, and have instructed me to report the same back to the Senate, without amendment, and recommend that the same do not pass, as, in the opinion of said committee, legislation on the subject is inexpedient, and ask to be discharged from the further consideration of the subject.

Mr. Beene, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to legalize and make valid and sustain the acts of David Eakin, Robert M. Cade and Amze P. Boyd, tax collectors of Attala county, and have instructed me to report back said bill to the Senate, and recommend that it do not pass.

Mr. Beene introduced a bill of the following title :

A bill to be entitled an act to extend an act, approved March 9th, 1850, in reference to writs of error and supersedeas ;

Which was read the first time.

On motion of Mr. Beene, the rule was suspended, the bill read the second time and referred to the committee on the Judiciary.

Mr. Acker, from the committee on Internal Improvements, made the following report, which was received and agreed to :

MR. PRESIDENT—The standing committee on Internal Improvements to whom was referred a bill entitled an act to incorporate the Northern Air Line and Extension Rail Road Company, have had the same under consideration ; have made some very slight amendments to the same, and have instructed me to report the said bill and amendments back to the Senate and recommend its passage, together with the amendments.

The amendments made by the committee to the bill were then adopted, and the bill read the second time.

Mr. Alcorn moved to amend the bill, with the following proviso :

Provided, That the stock, fixtures and property of said company shall be exempt from taxation, for and during the full period of twenty years from the passage of this act, and that the privileges and benefits of this proviso shall be extended to all rail road charters heretofore granted by the Legislature of this State, as well as those hereafter to be granted, unless specially excepted.

The question was taken upon the adoption of the amendment, and decided in the affirmative, by yeas and nays, as follows :

YEAS—Mr. President, and Messrs. Alcorn, Acker, Arthur, Bennett, Berry, Cobb, Farrar, Greer, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Pegues, Ramsay, West and Webb—19.

NAYS—Messrs. Beene, Drane, Oliver, Pope, Reynolds, Steele and Stuart—7.

On motion of Mr. Koger, the bill was ordered to be engrossed and made the order of the day for to-morrow.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act for the better protection of securities in this State ;

In which the concurrence of the Senate is desired.

Mr. Alcorn, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The Judiciary committee have had under their consideration, a bill to be entitled an act to amend an act entitled an act reducing the fees of certain officers therein named, approved 10th February, 1844; so far as relates to Madison county, and have instructed me to report the same back to the Senate, and recommend its passage.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The Judiciary committee have had under their consideration a bill to be entitled an act concerning conveyances, approved June 13th, 1822, and have instructed me to report the same back to the Senate and recommend its passage.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The Judiciary committee have had under their consideration a bill to be entitled an act to amend an act entitled an act to establish an additional Superior Court of Chancery in the State of Mississippi, and have instructed me to report the same back to the Senate, and recommend its passage.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn, from the same committee, made the following report :

MR. PRESIDENT—The Judiciary committee have had under their consideration a bill to be entitled an act to suppress the use of fire crackers, and have instructed me to report against the propriety of its passage.

A division of the question being called for, the question was first taken on receiving the report, and adopted.

The question was then taken on agreeing to the report, and carried.

Mr. Bennett introduced the following resolution :

Resolved, That after the morning business is over, the Senate will proceed to the consideration of the orders of the day, and will take up the bills now on the table, (giving the House bills the preference) and will continue from day to day to consider them, until they are all disposed of, to the exclusion of all other business.

On motion of Mr. Alcorn, the resolution was laid on the table.

On motion of Mr. Drane, the vote taken on yesterday, on the motion to engross the Mobile and New Orleans Rail Road bill, and make it the order of the day for to-day, was reconsidered.

The question was then taken on the adoption of the amendment made by the committee, and lost.

Mr. Ramsay offered the following amendment, which was adopted :

Provided, That the exclusive right herein granted, shall not extend beyond a period of twenty-five years, from the passage of this act, and shall only apply to parallel roads connecting said cities of Mobile and New Orleans.

On motion of Mr. Ramsay, the bill was ordered to be engrossed, and made the order of the day for 12 o'clock to-morrow.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to lay off the State of Mississippi into five Congressional Districts, and for other purposes,

In which the concurrence of the Senate is desired.

Mr. Johnston introduced the following resolution, which was adopted :

Resolved, That his Excellency, the Governor, be requested to furnish to the Legislature, all the information he may have possessed or can procure in relation to the disposition by the Levee Commissioners of the counties of Bolivar, Coahoma, Tunica and DeSoto, of levee scrip issued to said counties, and also the disposition made of the money secured from the sale of the 60,000 acres of Internal Improvement land, and he is hereby authorized to require the various Levee Commissioners, to report to the President of the Boards of Police of the above said counties, and those Presidents of the Boards of Police to report to his Excellency, the Governor, in what manner these funds have been appropriated, in every particular.

On motion of Mr. Johnston, leave of absence was granted to Mr. Banks.

On motion of Mr. McWillie, leave of absence was granted to Mr. Allen.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act to authorize the heirs of James M. Halbert, dec'd., to establish and keep a ferry across the Mississippi river, and for other purposes;

Which was read the first time.

On motion of Mr. West, Mr. McWillie was added to the committee to amend the Constitution.

On motion of Mr. Webb,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate proceeded to the consideration of the orders of the day—

A reconsideration of the vote taken on the passage of the Central Rail Road bill.

The question was taken upon reconsidering, and decided in the affirmative.

The question was then taken upon reconsidering the vote upon suspending the rule, that the bill might be read the third time and carried.

Mr. Oliver moved to strike out the 8th section of the bill, which motion was carried by yeas and nays, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Acker, Beene, Drane, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Reynolds, Stuart and Webb.—15.

NAYS.—Messrs. Arthur, Bennett, Berry, Cobb, Farrar, Greer, Hough, Pegues, Ramsay, Steele and West—11.

Mr. McWillie moved to strike out the 7th section of the bill, which was decided in the negative by yeas and nays, as follows :

AYES.—Mr. President, and Messrs. Acker, Beene, Drane, Koger, McWillie, Ramsay, Stuart—8.

NAYS.—Messrs. Alcorn, Arthur, Berry, Cobb, Farrar, Greer, Hough, Johnston, Monroe, Nelson, Oliver, Pegues, Reynolds, West and Webb—15.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Nelson gave notice that he would, on to-morrow, ask leave to introduce a bill to aid in the support of common schools.

The following message was received from his Excellency, the Governor, by his private Secretary, G. S. McMillan :

MR. PRESIDENT.—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day signed and approved bills of the following titles, to-wit :

An act for the relief of Jacob E. Montgomery and Thomas Smith, and for other purposes.

An act to change the name of Jane Elvira Harris to that of Jane Elvira Deaver.

An act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of a Military Asylum, at East Pascagoula, Jackson county, State of Mississippi.

On motion of Mr. Cobb,

The Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, FEBRUARY 9, 1854.

The Senate met pursuant to adjournment,

And was open with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

Mr. Reynolds presented the memorial of sundry ladies of Tishemingo county, in relation to temperance.

Mr. Reynolds presented the memorial of sundry citizens of Tishemingo county; which were referred to the select committee on temperance.

Mr. Berry moved that all petitions heretofore referred to the committee on Propositions and Grievances, in relation to temperance, be referred to the select committee on temperance; which motion was adopted.

Mr. Webb, from the committee on Engrossed Bills, made the following report:

MR. PRESIDENT—The committee on Engrossed Bills, have this day examined a bill to incorporate the South-western Air Line Extension Railroad Company, and have found the amendments to the same correctly engrossed.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to authorize Elias B. Puckett to dispose of certain lots of land, for the benefit of the Zion Seminary, and have instructed me to report back the same to the Senate, and to express the opinion of said committee, that said bill ought not to pass, and ask to be discharged from the further consideration of the same.

Mr. Beene, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act to extend an act, approved March 9, 1850, in reference to writs of error and super-sedeas, and have instructed me to report the same back to the Senate, with a recommendation that the same do pass.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles:

An act to repeal an act entitled an act to prescribe the mode of applying the school funds of Tippah county, approved March 8, 1850, and for other purposes.

An act to attach sec. No. 4, town. 21, range 11 east, of Choc-

law county, to Chickasaw county, in this State, and for other purposes.

An act to change the title of an act supplemental to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved March 16, 1852.

An act to annex a portion of Yazoo county to the county of Warren.

An act to empower the Board of Police of Pike county, to remove the Lundy free negroes, living in said county, to Liberia.

An act to repeal an act providing for the application of the common school funds, in the county of Marion, approved March 3d, 1848.

And have found the same correctly enrolled.

Mr. Arthur introduced a bill of the following title :

A bill to be entitled an act to amend an act to incorporate the Constitution Fire Engine Company, No. 1, of the City of Vicksburgh, approved Feb. 22, 1840 ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act to provide for the arrest of fugitives from justice, from other States ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title, and referred to the Judiciary committee.

Mr. Webb gave notice that he would, on to-morrow, or some future day, introduce

A bill to be entitled an act to establish a Deaf and Dumb Institute, at or near the town of Pontotoc, in the county of Pontotoc.

Mr. West introduced a bill of the following title :

A bill to be entitled an act granting the right of way through the State of Mississippi, and other privileges, to the St. Louis, Helena, and New Orleans Railroad ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Johnston, the bill was referred to the committee on Internal Improvements.

Mr. Arthur introduced a bill of the following title :

A bill to be entitled an act to incorporate the Hills City Collegiate Institute ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Nelson, from the committee, on Banks and Currency, made the following report, which was received and agreed to :

MR. PRESIDENT—The standing committee on Banks and Currency, to whom was referred a bill to prohibit the circulation of Bank Bills or certificates of deposite, under the denomination of twenty dollars, have had the same under consideration, and have instructed me to report the bill back with a substitute.

The bill was then read the first time.

On motion of Mr. Nelson, the rule was suspended, and the bill read the second time.

On motion of Mr. Johnston, the bill was laid upon the table.

The President laid before the Senate, the following report, of the Trustees of the Mississippi Institute for the Blind, which, on motion of Mr. Cobb, was laid upon the table, and 200 copies ordered to be printed :

To the Honorable the Legislature

of the State of Mississippi :

The Trustees of the Mississippi Institution for the Blind respectfully report that they have abundant cause of gratitude to a benificent Providence for the success with which their exertions have been blessed during the passed two years. The benefits of this infant Institution, it is true, have been confined to a small number of the afflicted, but when its objects become more fully known through the instrumentality of those who have been made the recipients of its benefactions and their acquirements are made manifest to a discerning public, the number of pupils will doubtless be greatly augmented. The practical attempts here made to communicate instruction to the blind in literature, music and mechanical branches, have demonstrated to all observers that the physically benighted are susceptible of great mental, moral and mechanical attainment. From an extreme anxiety of the Board for an economical administration of the Institution, they have not felt justified in incurring the expense of sending into each county of the State a number of advanced pupils for the purpose of disseminating ocular demonstration of the surprising proficiency attained in the ordinary branches of education as well as the more useful arts and accomplishments. Excursions of this character have been made with good results in other States, for the purpose of increasing the number of those who are to share in the benefits of this class of instruction. The necessity for additional philanthropic effort in this behalf, will be made manifest when it is

known that during the seventh decade, the increase of the blind in the United States was a little more than fifty per centum, while the increase for the same period in Mississippi was over three hundred per cent. The number returned in this State by the United States census, in 1840, was forty-three, and in 1850, they had increased to one hundred and thirty. It is worthy of remark that an analysis with respect to our native and foreign population presents the fact that the blind are much more numerous among the latter. There are not less than fifty blind persons in the State who are eligible to the instruction and privileges offered in this Institution, and when a more general interest is taken by those who have the power effectually to foster and extend its sphere of usefulness, many of these will doubtless avail themselves of its advantages.

During the past two years no death has occurred within the establishment. Such cases of illness as have happened, have received the prompt and successful treatment of Drs. Langley, Bailey and Yandell, whose gratuitous, and zealous services in this department merit and receive the thanks of the Board. The diseases to which the blind are subject, are mostly referable to their sedentary habits and their inability to take sufficient exercise in the open air. In order to extend greater facilities to the pupils, in this particular, and the more effectually to provide for the present and prospective wants of this growing Institution, the Board of Trustees deem it judicious to purchase an adjacent lot, of about four acres, which can be procured, as they are assured, upon the most reasonable terms. It is to be hoped that the means of the Institution will be increased sufficiently for this purpose.

The Board continue to receive the able and efficient services of Mr. P. Lane, the Principal, whose long and intimate acquaintance with those, who, like himself, are deprived of sight, eminently qualifies him for his laborious and responsible trust. He has been connected with the Institution, as Teacher, and had its principal management, with the exception of a brief interval from October to late in January last,—from its first organization as a State Institution, to the present time.

We invite attention to the able report of the Principal, which is appended hereto, and commend its various suggestions. In connexion with its recommendations, it may be observed that it has been our purpose to administer the bounty of the State faithfully and skilfully, and to the extent of the means allotted, with due regard to other interests, to foster the teaching of music in its various departments, as well as the most useful handicrafts.

The board feel most sensibly, the imperative necessity of providing for this bereaved class, a wider range and more extended field of industry, out of which they can glean a subsistence, and secure that independence so touchingly alluded to by the Principal; and to this end hope soon to be able to introduce in the manufacturing department the weaving of rag carpets and door mats, and

the making of pasteboard and fancy boxes; or such other branches of mechanism as the various pupils may be the best adapted to, and the most anxious to prosecute.

By reference to the accounts of the Treasurer, it will be seen that, on the 10th of January, ult., there was a balance of \$726 56 in favor of the Institution. The current expenses of the present year will be increased somewhat, should the five pupils, soon expected, be added to our number.

In the domestic government of the house, which is in a marked degree kind and parental, the Board have secured the services of Mistress Stanley.

In concluding this brief and practical exposition of the present and past situation of the Institution committed to their charge, the Board feel it their duty to ask from the Legislature an appropriation of one thousand dollars, for the purchase of the lot of ground alluded to; aside from this, they feel confident that the usual annual allowance heretofore made by an enlightened State policy, will be sufficient to meet the ordinary wants of this interesting Institution.

JNO. D. ELLIOTT,
GEO. FEARN,
B. YANDELL, *Trustees.*

JACKSON, FEBRUARY 1st, 1854.

To the Trustees of the Mississippi Institute for the Blind.

GENTLEMEN: In obedience to the requirement which makes it the duty of the individual having the immediate charge of the Institution to present to the Board of Trustees a report of its condition and operations, during the two years preceeding the date of such report, I respectfully submit the following:

Since the date of the last report, the advancement of the Institution has not been as rapid nor as great as could have been desired by its friends; nor has as much been accomplished as many may have thought there was reason to expect; nevertheless, something has been done; the work of amelioration has been carried forward; knowledge has been acquired; benighted intellect illumined; and dormant moral faculties awakened to vigorous activity. The number of pupils, from January 1st, 1852, to the present, has varied from 11 to 9—the latter being the number now in the Institution. They are taught Reading, English Grammar, Plain, Solid, and Analytical Geometry, Algebra, Mechanical, Intellectual, and Moral Philosophy, and Political Economy. Early in 1853, a teacher of Music was employed, and retained until the end of the session; but, inasmuch as the method of instruction was radically faulty and the number of lessons few, the progress of the pupils in this department has been quite inconsiderable. In the month of August last, I attempted a tour of the State, in

quest of blind persons eligible as pupils of this Institution; but, by reason of ill-health, was compelled to return without accomplishing anything. Prior to the date of the last report, willow-basket-making was introduced, and the pupils taught to work in this species of craft; but, inasmuch as the manufacture of willow-ware requires considerable mechanical skill; and, inasmuch as the selling price of the articles is too low to be remunerative, it was deemed advisable to discontinue it, and it was accordingly abandoned. No other mechanical branch has since been introduced. The buildings of the institution are in no degree adapted to the purposes for which they are now used; and, indeed, it would be a task of no little difficulty to show their adaptedness to any purpose.

From the statement now made, it will be seen that the only department which has been in successful operation in this Institution, is that which, in the narrowest sense of the term, may be designated educational. The development of the intellectual and moral powers of the pupils is all that has been attempted, and the success that has attended the efforts that have been made, is creditable to the pupils, and should be encouraging to their friends. The want of a musical and mechanical department in this institution, renders it sadly incomplete, and unfits it for fully subserving the interests of those whose welfare its establishment was designed to promote. The capacity of the blind for acquiring a knowledge of the science of music and the attainment of skill in its execution, must be known to all who have witnessed the performances of those among them who have been thoroughly instructed and judiciously trained. To the blind, a knowledge of music combined with skillfulness of execution, is of immeasurable value. Considered merely as a means of amusement, music becomes an efficient agent for the negative improvement of the moral nature. When used for this purpose, it is a means of innocent recreation, producing cheerfulness in a mind that might otherwise be soured by brooding upon its own sorrows, or debased by the creation of images of impurity, or the indulgence of corrupting affections. The potency of music in refining the feelings and elevating the moral character, has often been pointed out. It awakens and renders more acute the æsthetic sense, conveys to the mind sublimer conceptions of beauty, excites purity and devoutness of feeling, and arouses to noble deeds of lofty daring. It has been said that "he who is not moved by a concord of sweet sounds, is fit for treasons, stratagems, and spoils." Now, if this be true, there is surely foundation for the foregoing remarks. If, then, music were beneficial in no other way than in that now mentioned, it would be reason enough that it should be taught; but when it is considered that to many of the blind it may be made the means of sustentation, it becomes an imperative duty to furnish them with all the aids necessary to the acquirement of such a knowledge of it as may be rendered

available; and I trust that steps will immediately be taken to establish in this Institution a department in which this branch of instruction shall be vigorously and successfully prosecuted.

The importance of a knowledge of some mechanical pursuit to the blind, cannot be over estimated; for the majority of them, as the majority of others, must, if they earn their bread at all, earn it by manual labor. If the object of an Institution for the blind be to fit its inmates for self-support in after life, it is manifest that the only way in which this object can be accomplished, is by thoroughly equipping them at all points for the accomplishment of the end proposed. There have been, among the blind, many who have, by the practice of simple trades, maintained themselves, and it is highly probable that others may do as much. There are, indeed, now in this Institution, persons who, did they possess the knowledge of some trade—say broom-making—might, at this moment, be self-sustaining, productive members of the body social.

If it be desired that this Institution should really subserve the interests and promote the welfare of the blind, I would recommend the immediate erection in it of a mechanical department. If the means at present possessed are not sufficient, then additional aid should be asked for; and if the efforts that are made to obtain such aid are prosecuted with a zeal and vigor commensurate with the importance of the subject, I doubt not that it will be granted. The Institution in its present condition, may doubtless be beneficial to a few, but to many it may become the instrument of increasing the amount of ultimate misery; for if they are compelled to pine in idleness at their homes, or condemned to pauperism in an almshouse, the desire for activity and manly independence which education has awakened, will but serve to convert the monotony of the one situation into wretchedness, and to render intolerable the degradation of the other. A loaf, a bed, and a coat, may be sufficient for the drone and the pauper, but these can never confer happiness upon the intelligent blind man, who is forced to regard such gratuities as proofs of his own uselessness and evidences of his own debasement.

Respectfully submitted,

P. LANE.

Institution for instruction of the Blind in account with George Fearn, Treasurer.

Dr.			Cr.
Real Estate—Am't paid for additional Lot in		By balance on hand and per Report 10th	
Jackson, - - - -	\$ 200 00	January, 1852, - - -	\$ 174 49
Improvement and repairs, . - -	145 70	By Cash received of pay Pupil, - - -	150 00
Tuition—Salaries of Teacher and Matron,	1304 14	By Cash received Appropriation from State	
Expense—Current eqpenses from 10th Jan-		Treasury, - - - -	4575 00
uary, 1852, to 10th January, 1854, -	2301 57		
Furniture, Books, &c., - - -	220 52		
	4171 93		
Balance, - - - -	727 56		
	\$4899 49	By balance on hand, - - -	\$ 727 56

Mr. Cobb called up the orders of the day—the bill to be entitled an act to authorize the printing of the first Annual Report of the Agricultural and Geological Survey of the State;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles:

An act to empower the Board of Police of Pike county to remove the Lundy free negroes, living in said county, to Liberia.

An act to repeal an act providing for the application of the common school fund, in the county of Marion, approved March 3d, 1848.

An act to annex a portion of Yazoo county, to the county of Warren.

An act to change the title of an act entitled an act supplemental to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved March 16th, 1852.

An act to attach sec. No. 4, town. 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes.

An act to repeal an act entitled an act to prescribe the mode of applying the school funds of Tippah county, approved March 8th, 1850, and for other purposes.

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to restore the competency of Jurors and Witnesses, in certain cases, and for other purposes.

A bill to be entitled an act regulating the prosecution and trial of slaves in this State, for crimes, the punishment of which is not capital.

In which the concurrence of the Senate is desired.

The Senate then proceeded to the consideration of the orders of the day, a bill to be entitled an act to change the time of electing county officers.

On motion of Mr. West, the bill was laid on the table.

The bill to be entitled an act to repeal the 10th section of the 7th article of general provisions of the Constitution.

The bill was then read the third time, and passed by ayes and noes, as follows:

AYES—Mr. President, Messrs. Alcorn, Bennett, Banks, Berry, Drane, Ellett, Greer, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Reynolds, Steele, Stuart, West, and Webb—22.

NAYS—Messrs. Acker, Arthur, and Johnston—3.

A bill to be entitled an act to remove the Vice Chancery Court from Columbus, to Macon, Noxubee county, was,

On motion of Mr. Koger, laid on the table.

A bill to be entitled an act to declare First, Second and Third Bayous, in the county of Carroll, navigable streams

Was referred to a select committee of three.

The President appointed on said committee, Messrs. Hemingway, Drane, and Johnston.

A memorial to the Congress of the United States, asking for a grant of land to aid in the construction of the Gulf and Ship Island Railroad, was,

On motion of Mr. Ramsay, laid on the table.

A bill to be entitled an act to prohibit the circulation of bank bills of less denomination than five dollars,

Was taken up.

Pending the discussion, upon the amendment offered by Mr. Alcorn,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

And resumed the consideration of the orders of the day—the bill to be entitled an act to prohibit the circulation of bank bills of less denomination than five dollars.

Mr. Cobb moved to postpone the further consideration of the bill, until to-morrow, at one o'clock ;

Which was carried.

A bill to be entitled an act to remove the Vice Chancery Court from the town of Columbus, in Lowndes county, to the town of Macon, in Noxubee ;

Was taken up.

The bill was read the third time and carried, by ayes and noes, as follows :

AYES — Mr. President, Messrs. Beene, Bennett, Berry, Hough, Koger, McWillie, Oliver, Pope, Ramsay, Steele, Stuart, and Webb—13.

NAYS—Messrs. Alcorn, Arthur, Acker, Cobb, Drane, Ellett, Farrar, Johnston, Monroe, Reynolds, and West—11.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act authorizing the taking of depositions of witnesses residing in this State, in certain cases,

Was taken up and read the third time.

Mr. Ellett moved to amend, by way of rider, as follows :

“And in all cases depositions may be opened by the clerk, in his office, in vacation or term time, on the application of either party.”

The bill, as amended, then passed.

Ordered, That the title thereof stand as stated.

The Senate went into committee of the whole, on the bill for the further issue of swamp land scrip; Mr. Berry in the chair.

Mr. Johnston offered the following amendment to the second section:

Provided, That portion allotted to Yazoo shall be endorsed by the county treasurer, who is hereby declared the Levee Treasurer of said land scrip, so issued to the above said county.

Mr. West moved that the committee rise, report progress, and ask leave to sit again to-morrow at half after ten o'clock;

Which motion was carried,

And the report of the committee of the whole was received and agreed to.

On motion of Mr. McWillie,

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, FEBRUARY 10, 1854.

The Senate met pursuant to adjournment,

The journal of yesterday was read.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Warren county, in reference to the erection of gates across public highways, have had the same under consideration, and have instructed me to report, that the board of police has jurisdiction over the subject, and that the committee beg leave to be discharged from the further consideration of the same.

Mr. Berry, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on Propositions and Grievances to whom was referred the petition of James O. Wilson, praying to be divorced from the bonds of matrimony, have had the same under consideration, and have instructed me to report, that the Constitution has given the Chancery Courts of this State exclusive jurisdiction over the subject, and that the committee therefore beg leave to be discharged from the further consideration of the same.

Mr. Arthur introduced a bill of the following title:

A bill to be entitled an act to establish a ferry across the Mississippi river, at Vicksburg;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. West introduced the following resolution, which was adopted :

Resolved, That the Judiciary committee be instructed to take under consideration the act of 1852, appropriating the submerged lands to the counties, and report at their earliest convenience, by bill or otherwise, whether or not, in their opinion, a right has vested in said counties to said lands, and as to the propriety of repealing the said law.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act to amend the criminal laws of this State :

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read a second time by title, and referred to the Judiciary committee.

Mr. Koger introduced the following resolution, which was adopted :

Resolved, That the committee on the Judiciary, be requested to examine the laws on the subject of bastardy, and report such amendments as will carry the law into full and complete execution.

Mr. Nelson introduced a bill of the following title :

A bill to be entitled an act to aid in support of common schools ;
Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, the bill read the second time, and the further consideration of the bill postponed until Monday next.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to repeal Article 9, of Chapter 53, Hutchinson's Code.

An act to amend an act entitled an act concerning conveyances, approved June 12, 1822.

Which are herewith presented to the Senate, for the signature of the President.

The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to regulate the granting of licenses to retail vinous and spiritous liquors.

In which the concurrence of the Senate is desired.

Mr. Drane introduced a bill of the following title :

A bill to be entitled an act to supply the loss of the classification of lands, in the county of Choctaw, in the year 1842 ;

Which was read the first time.

On motion of Mr. Drane, the rule was dispensed with, and the bill read the second time by its title.

On motion of Mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Oliver, the bill entitled an act to repeal the 10th sec. of the 7th art. of the general provisions of the Constitution, was taken up and read the third time, and passed by ayes and noes, as follows :

YEAS—Mr. President, Messrs. Alcorn, Beene, Bennett, Berry, Banks, Drane, Ellett, Greer, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Ramsay, Reynolds, Steele, Stuart, West, and Webb—22.

NAYS—Messrs. Acker, Arthur, Cobb, Farrar, and Johnston—5.

The Senate then went into committee of the whole, on the bill to provide for the further issue of swamp land scrip; Mr. Berry in the chair.

After some time spent thereon, the committee rose, reported progress, and asked leave to sit again at 3 o'clock this afternoon;

Which report was received and agreed to.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to repeal the 9th art. of the 53d chap. of Hutchinson's Code.

An act to amend an act entitled an act concerning conveyances; And have found the same correctly enrolled.

They have also presented to his Excellency the Governor, for his approval and signature, bills of the following titles :

An act to repeal an act to incorporate the Columbia Academy in the county of Marion, and for other purposes.

An act to authorize the Alabama and Noxubee (Mississippi) Railroad Company to extend their railroad into the State of Mississippi, and for other purposes.

An act to repeal the 9th art. of the 53d chap. of Hutchinson's Code.

An act to amend an act entitled an act concerning conveyances, approved June 13, 1822.

An act to empower the Board of Police of Pike county to remove the Lundy free negroes, living in said county, to Liberia.

An act to annex a portion of Yazoo county to the county of Warren.

An act to repeal an act entitled an act to prescribe the mode of applying the school funds of Tippah county, approved March 8th, 1850, and for other purposes.

An act to change the title of an act entitled an act supplemen-

tal to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved March 16, 1852.

An act to attach sec. 4, town. 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes.

Mr. Webb introduced a bill of the following title :

A bill to be entitled an act to establish a deaf and dumb institute, at or near Pontotoc, in the county of Pontotoc ;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Webb, Greer, and Berry.

Mr. Ramsay called up the bill in relation to the Mobile and New Orleans Railroad ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Alcorn called up the bill in relation to authorizing the heirs of James M. Halbert, dec'd, to establish and keep a ferry across the Mississippi river, and for other purposes ;

Which was read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Alcorn, Greer, and Oliver.

Mr. Koger called up the bill incorporating the South-Western Air Line Extension Railroad Company ;

Which was read and re-committed to a select committee of three:

The President appointed, on said committee, Messrs. Koger, Ellett, and Drane.

The following message was received from his Excellency the Governor, by his private secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to empower the Board of Police of Pike county, to remove the Lundy free negroes, living in said county, to Liberia.

An act to annex a portion of Yazoo county, to the county of Warren.

An act to change the title of an act entitled an act supplemental to an act to amend an act entitled an act to establish the Mutual Life Insurance Company of Mississippi, approved 16th March, 1852.

An act to attach sec. No. 4, town. No. 21, range 11 east, of Choctaw county, to Chickasaw county, in this State, and for other purposes.

An act to repeal an act entitled an act to prescribe the mode

of applying the school funds of Tippah county, approved March 8, 1850, and for other purposes.

On motion of Mr. West,

The Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

And went into committee of the whole, on the bill to provide for the further issue of swamp land scrip; Mr. Berry in the chair.

After some time spent therein, the committee rose, reported progress, and asked to be discharged from the further consideration thereof;

Which report was received and agreed to.

Mr. Berry, from the committee of the whole, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee of the whole have had under consideration, a bill for the further issue of swamp land scrip, and have made amendments thereto, and have instructed me to report the bill back, as amended, and recommend its passage.

Mr. West moved to refer the bill to a select committee of five; Which was adopted.

The President appointed on said committee, Messrs. Alcorn, Drane, Farrar, Johnston, and West.

The Senate preceeded to the consideration of the order of the day,

A bill to be entitled an act for the purpose of granting ferry privileges to Johnston and Emerson O'Neal, in the county of Tunica.

On motion of Mr. Oliver, the bill was made the order of the day for to-morrow.

On motion of Mr. West, Messrs. McWillie and Greer were added to the select committee on the swamp land scrip.

A bill to be entitled an act to incorporate the Natchez, Washington and Meadville Plank Road Company, and for other purposes;

Was taken up.

The bill was then read the third time and passed.

Ordered; That the title thereof stand as stated,

A bill to be entitled an act concerning Hutchinson's Manual of Forms, was taken up.

On motion of Mr. Ellett, the bill was indefinitely postponed.

A bill to be entitled an act to amend the Constitution of the State of Mississippi, in relation to the Chancery Courts;

Was taken up.

Mr. Alcorn moved to amend, by a substitute, in lieu of the section offered by the committee to the bill, which was adopted.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time, and passed, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Alcorn, Arthur, Beene, Berry, Drane, Ellett, Farrar, Greer, Graves, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Stuart, West, and Webb—21.

NAYS—Mr. Johnston—1.

A bill to be entitled an act for the relief of Mississippi College, was taken up, and the question was upon agreeing to the amendments made by the House.

Mr. Oliver moved that the Senate disagree to the first amendment, made by the House to the bill,

Which motion was carried.

On motion of Mr. Webb, the Senate concurred in the second amendment made by the House to the bill.

On motion of Mr. Greer.

The Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, FEBRUARY 11, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

The Journal of yesterday was read.

Mr. Ellett presented the petition of sundry citizens of Jefferson county;

Which was referred to the committee on Temperance.

Mr. Drane presented the petition of sundry citizens of Choctaw county, which was referred to the committee on temperance.

Mr. Drane presented the petition of a teacher of Choctaw county ;

Which was referred to the committee on Education.

Mr. Pope presented the petition of sundry citizens of Leake county, with a bill to change the name of James R. Pigg, of Leake county;

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pope, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated:

Mr. Ramsay presented the petition of John L. Allen, and A. R. Carter;

Which was referred to the committee on Propositions and Grievances.

Mr. Ramsay presented the petition of sundry citizens of Harrison county ;

Which was referred to a select committee of three.

The President appointed on said committee, Messrs. Ramsay, Hough and Graves.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed a bill entitled :

An act for the relief of A. B. Robinson ;

In which the concurrence of the Senate is desired.

Mr. Acker, from the committee on Internal Improvements, made the following report, which was received and agreed to, and the bill read the first time.

MR. PRESIDENT—The standing committee on Internal Improvements, to whom was referred a bill entitled an act granting the right of way through the State of Mississippi, and other privileges, to the St. Louis, Helena and New Orleans Rail Road, have had the same under consideration, and have instructed me to report it back to the Senate, without amendment, and recommend its passage.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. West, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Koger, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee to whom was referred a bill entitled "an act to incorporate the Southwestern Air Line Extension Rail Road Company," have had the same under consideration, and have instructed me to report the same back to the Senate, and to recommend the passage of the same with the amendments.

The bill as amended was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Johnston offered the following joint resolution :

Resolved, (the House concurring,) That a committee on Mileage be appointed, to consist of three on the part of the Senate, and — — on the part of the House to report upon the report of the Auditor on mileage, dated Feb. 6th, 1854, and also to report upon the mileage of the members of the Legislature elected in the year 1849. They are also instructed to report the mileage charged by the electors of President and Vice-President of the United States, elected in the year 1852. Said committee are also instructed to report upon the mileage charged by the members of the Legislature now in session, and said committee are further instructed to report a bill accompanying the aforesaid report, properly defining the exact

amount of mileage hereafter to be charged by each and every county.

Which was read the first time.

Mr. Greer moved to lay the resolution on the table ;

Which was decided in the affirmative by yeas and nays, as follows :

AYES—Mr. President, and Messrs. Alcorn, Bennett, Berry, Ellett, Greer, McWillie, Monroe, Nelson, Pope, Pegues, Reynolds, Steele, Stuart, West and Webb—16.

NAYS.—Messrs. Acker, Arthur, Beene, Drane, Graves, Hough, Johnston, Koger, Oliver and Ramsay—10.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the followig title :

An act to amend an act to provide for the leveeing of the Mississippi river in the county of Bolivar, approved February 1st, 1850 ;

In which the concurrence of the Senate is desired.

Mr. Steele introduced a bill of the following title :

A bill to be entitled an act for the benefit of Chickasaw and Calhoun counties ;

Which was read the first time.

Mr. Arthur gave notice that he would, on Monday next, or at some subsequent day, introduce a bill to be entitled an act to establish a Criminal Court in Warren county, and to amend the criminal laws of this State.

Mr. Reynolds introduced a bill of the following title :

A bill to be entitled an act further to amend the sixth section of an act entitled an act to change the forms of Pleading in the Circuit Courts of this State, and other purposes ;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to incorporate the Grand Gulf and Port Gibson Rail Road Company ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

Mr. Oliver moved to strike out the second section of the bill ;

Which was carried, by yeas and nays, as follows :

YEAS.—Mr. President, and Messrs. Alcorn, Acker, Beene, Bennett, Drane, Greer, Graves, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Stuart and West—19.

NAYS.—Messrs. Arthur, Ellett, Pope, Reynolds and West.—5.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

The Senate then proceeded to the consideration of the orders of the day—

The bill in relation to the New Orleans, Jackson and Great Northern Rail Road.

On motion of Mr. Acker, the bill was made the special order for Monday next, at 11 o'clock.

A bill to be entitled an act to amend the Constitution of the State of Mississippi in relation to the Chancery Courts;

Which was read the third time and passed, by ayes and noes, as follows:

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Beene, Bennett, Berry, Drane, Ellett, Farrar, Greer, Graves, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Stuart, West and Webb.—22.

NOES.—Messrs. Acker and Johnston.—2.

A bill to be entitled an act to authorize Johnson and Emerson O'Neal, their heirs and assigns, to establish a ferry across the Mississippi river, was taken up.

Mr. Webb moved to amend the bill by striking out the 6th section of the bill;

Which motion was lost.

Mr. Webb moved to amend the first section as follows:

Provided, They shall not have the privilege of using the property of any other person as a place of landing, without the consent of the owner thereof;

Which was adopted.

Mr. Webb moved to amend by an additional section;

Which was lost.

The bill, as amended, was read the third time and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Ramsay,

The Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

Mr. Greer moved to take up House bill entitled an act to lay off the State of Mississippi into five Congressional Districts, and for other purposes;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, the bill was read the second time by title.

On motion of Mr. Greer, the further consideration of the bill was postponed until Tuesday next, and made the order of the day for 12 o'clock, m., in committee of the whole.

Mr. Drane called up Senate bill entitled an act in relation to the

reclamation of swamp and overflowed public lands, and improvement of various rivers and streams in this State.

Mr. Oliver offered the following amendment:

Amend the bill by striking out all after the enacting clause, and inserting the following words, viz: That the act entitled an act for the reclamation of the swamp and overflowed lands, and for the improvement of the navigation of various rivers and streams in this State, approved March 16th, 1852, be and the same is hereby repealed.

On motion of Mr. West, the further consideration of the subject was postponed until Monday, and made the order of the day for 11 o'clock.

On motion,

The Senate adjourned until Monday morning at 10 o'clock.

MONDAY, FEBRUARY 12, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by Rev. Mr. Russell.

The Journal of Saturday was read.

Mr. Farrar introduced a bill of the following title:

A bill to be entitled an act for the relief of Wilmarth Female College, in the City of Natchez;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended and the bill was read the second time by title.

On motion of Mr. Farrar, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pegues introduced a bill of the following title:

A bill to be entitled an act for the benefit of the Mississippi University;

Which was read the first time.

On motion of Mr. Pegues, the rule was suspended, and the bill read the second time by title, and referred to the Judiciary committee.

Mr. Stuart called up Senate bill of the following title:

A bill to be entitled an act to allow and confirm the emancipation of the woman slave Mary, and her children, according to the bequest and direction of the last will and testament of their former owner, the late Thomas Y. Grinstead, deceased, of Lawrence county;

The amendments made by the House to the bill were concurred in.

Mr. Alcorn, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT.—The select committee who have had under their consideration a bill to provide for the further issue of swamp land scrip, have instructed me to report certain amendments thereto, and ask to be discharged from its further consideration.

Mr. Oliver offered the following amendment to the 12th section :

Provided, The provisions of this section shall not apply to the scrip heretofore issued to the counties of DeSoto and Tunica."

Mr. West moved to lay the amendment on the table ;

Which motion was carried.

The amendments made by the committee were then concurred in.

Which was decided in the affirmative, by yeas and nays, as follows :

Mr. Johnston offered an amendment by an additional section.

Mr. West moved to lay the amendment upon the table ;

AYES.—Mr. President, and Messrs. Alcorn, Bennett, Berry, Cobb, Ellett, Farrar, Greer, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart, West and Webb—21.

NAYS—Messrs. Beene, Drane, Johnston and Pope—4.

On motion of Mr. Pettus, the further consideration of the bill was postponed until to-morrow morning, at 11 o'clock.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act for the relief of Mariamne Hutchinson.

A bill to be entitled an act to incorporate the Tunica and Helena Plank or Turnpike Road.

A bill to be entitled an act to incorporate the Bay St. Louis Lodge, No. 147, of Ancient Free and Accepted Masons, and for other purposes.

A bill to be entitled an act granting a charter to John Bryan, to build a bridge across Pearl river.

A bill to be entitled an act for the relief of Robert Shwildo, of Hinds county.

A bill to be entitled an act for the relief of William Winston.

A bill to be entitled an act for the relief of William Burks, of Chickasaw county.

A bill to be entitled an act to revive the charter of incorporation of the town of Quitman, in the county of Clarke.

A bill to be entitled an act to encourage and establish a manufactory of clocks in the State of Mississippi.

A bill to be entitled an act to incorporate the Olive Branch and Cockrum Plank Road Company.

A bill to be entitled an act for the relief of Thomas H. Davis, late Assessor of Calhoun county.

A bill to be entitled an act to incorporate the first Encampment of the order of Good-Fellows, at Biloxi, Harrison county.

A bill to be entitled an act to change the name of George Toby, to that of George Toby Howard.

A bill to be entitled an act to authorize the Secretary of State to offer for sale lot 4, of section 23, township 16, range 1 west, lying in Holmes county, being part of the Internal Improvement land.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Lexington, in the county of Holmes.

A bill to be entitled an act to incorporate the Lexington and Yazoo Valley Plank Road Company.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Paris, in the county of Lafayette.

A bill to be entitled an act to incorporate the Lowndes Dragoons, a volunteer company in the town of Columbus.

A bill to be entitled an act to provide for bridging the various streams of the county of Jefferson, and for other purposes;

In which the concurrence of the Senate is desired.

The House of Representatives have passed bills, originating in the Senate, of the following titles :

A bill to be entitled an act to supply the loss of the classification of lands in the county of Choctaw, for the year 1842.

A bill to be entitled an act to amend an act entitled an act to incorporate the Mobile and New Orleans Rail Road Company, approved February 25, 1852 ;

Which are herewith transmitted to the Senate.

The House of Representatives have receded from their first amendment made to the Senate bill entitled an act for the relief of Mississippi College;

And have concurred in the amendment made by the Senate to a House bill entitled an act to incorporate the Natchez, Washington and Maedville Plank Road Company, and for other purposes.

The Speaker of the House of Representatives has signed bills of the following titles :

An act to incorporate the Natchez, Washington and Meadville Plank Road Company, and for other purposes.

An act to amend an act to act to incorporate the Mobile and New Orleans Rail Road Company, and for other purposes;

Which are herewith presented to the Senate for the signature of the President.

MR. PRESIDENT.—The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Canton, &c., in the county of Madison ;

Also, a Senate bill entitled an act to amend an act entitled an act to incorporate the Grand Gulf and Port Gibson Rail Road Company, and have made an amendment thereto ;

In which the concurrence of the Senate is desired.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to authorize the county Surveyor of the several counties of this State to appoint a deputy, and for other purposes.

A bill to be entitled an act for the relief of William McBride, of Madison county;

In which the concurrence of the Senate is desired.

Mr. Acker called up the orders of the day—

The bill to be entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Rail Road.

Mr. Greer offered the following amendment to the amendment:

Provided, That the amount herein appropriated to the Mississippi Central Road shall be expended in the building of said road from Canton to Grenada.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit:

An act to incorporate the Natchez, Washington and Meadville Plank Road Company, and for other purposes.

An act to amend an act to incorporate the Mobile and New Orleans Rail Road Company, approved February 25th, 1852, and have found the same correctly enrolled.

They have also presented to his Excellency, the Governor, the above bills for his signature and approval.

On motion of Mr. Drane,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The Senate met pursuant to adjournment, and resumed the consideration of the New Orleans, Jackson and Great Northern Rail Road.

The question was taken on the adoption of the amendment offered by Mr. Greer, and lost.

The question was then taken upon the adoption of the amendment offered by Mr. Alcorn, and decided in the negative, by yeas and noes, as follows:

AYES.—Messrs. Acker, Drane, Oliver, Reynolds and Webb.—5.

NAYS.—Mr. President, and Messrs. Bennett, Berry, Cobb, Ellett, Greer, Graves, Johnston, Koger, McWillie, Monroe, Nelson, Pope, Ramsay, Stuart and West—16.

Mr. Bennett offered the following amendment to-wit:

Amend by striking out all after the enacting clause, and insert as follows:

That it shall be the duty of the Auditor of Public Accounts to credit in his office the Internal Improvement fund, with the nett proceeds of the sale of the five hundred thousand acres of land donated to this State for Internal Improvements by the act of Con-

gress, of the 4th September, 1841, whether the same have been received in cash or in the bonds and coupons, of the Planters' Bank, or in other funds.

SEC. 2. *Be it further enacted*, That the proceeds of the remaining portion of said five hundred thousand acres of land unsold at the date of this act, be sold and disposed of as is now provided by law, and that when the same shall be sold the proceeds thereof shall in like manner be credited to the Internal Improvement fund.

SEC. 3. *Be it further enacted*, That the proceeds of the sale of the sixty thousand acres of said land loaned for the levee of the Mississippi river, under the provisions of the act of the 15th March, 1852, and to be reimbursed to the Internal Improvement fund from the swamp and overflowed land, be also credited to the Internal Improvement fund.

SEC. 4. *Be it further enacted*, That all monies rightfully belonging to the Internal Improvement fund shall likewise be credited by the Auditor to the purposes of this act.

SEC. 5. *Be it further enacted*, That the money in the Treasury, and which may hereafter come into the Treasury as contemplated by this act, be and the same are hereby given in aid of the construction of the Gulf and Ship Island Rail Road, from some suitable point upon the coast of the Gulf of Mexico, as near Ship Island as may be, and thence in a Northern direction, as near as may be to intersect with the Southern Rail Road at some suitable point between Brandon, in Rankin county, and Quitman, in Clark county, as provided in the act incorporating the said Gulf and Ship Island Rail Road Company, approved March 5th, 1850.

SEC. 6. *Be it further enacted*, That the said act incorporating the said Gulf and Ship Island Rail Road Company, be, and the same is hereby so amended, as to authorize said company to extend the line of said road, from the point at which it may intersect the Southern Rail Road, so as to intersect with the New Orleans, Jackson and Great Northern Rail Road, and the Central Rail Road, at Canton, in Madison county, or the Central Rail Road at some point between Canton, and Lexington in Holmes county; and the right of way is hereby granted to said Gulf and Ship Island Rail Road over said extended route: *Provided*, That the said company shall be under the same restrictions, and shall pursue the same rules, in obtaining the right of way to locate said extended line of road as they are under and are required to observe in locating the said Gulf and Ship Island Rail Road from the Gulf Coast to the line of the Southern Rail Road, as provided in the said charter of said Gulf and Ship Island Rail Road, approved March 5th, 1850.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Auditor of Public Accounts, from time to time, to issue his warrant on the State Treasury, in the name of the President of the Gulf and Ship Island Rail Road Company, for such sum or sums of money as shall be in the Treasury to the credit of the Internal

Improvement fund, not to exceed the total amount of said fund: *Provided*, That there shall be deposited with the State Treasurer, a certificate or certificates of stock in the said Gulf and Ship Island Rail Road company, in the name of the State of Mississippi, for the use and benefit of the Internal Improvement fund, for an amount equal to the amount of such warrant or warrants, as are in favor of said company.

SEC. 8. *Be it further enacted*, That Samuel Frelander, John B. Toulmie, J. C. Monet, Donald McBeen, Pierre Souci, Jacob Elmore, Wm. A. Ward, C. F. Hemingway, C. J. McRae, Jacob Foute, are hereby added to the list of names incorporated in the first section of the act incorporating the said Gulf and Ship Island Rail Road Company, and that they are hereby authorized to open books of subscription to the capital stock of said company, at such times and places as they may see proper, as provided for in said act incorporating the said Gulf and Ship Island Rail Road; and that the time for the completion of said Gulf and Ship Island Rail Road be extended to the term of ten years from the passage of this act.

SEC. 9. *Be it further enacted*, That all laws, or parts of laws, that are inconsistent with the provisions of this act, be and the same are hereby repealed, and this act shall take effect and be in force from and after its passage.

On motion of Mr. Ramsay, the further consideration of the subject was postponed until to-morrow, at 11 o'clock.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to amend the charter of Jefferson College.

A bill to be entitled an act further to amend the charter of Jefferson College.

A bill to be entitled an act to amend an act entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clark, Green, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Rankin, approved February 26, 1846.

A bill to be entitled an act to amend and to reduce into one the act incorporating the town of Aberdeen, and the several acts amendatory thereto;

In which the concurrence of the Senate is desired.

Mr. Acker, on leave, called up a bill of the following title:

A bill to be entitled an act to amend an act entitled an act to incorporate Wilder Lodge, No. 21, I. O. O. F., in the town of Aberdeen.

Which was read the third time and lost, by yeas and nays, as follows :

AYES.—Messrs. Acker, Berry, Cobb, Johnston, Ramsay, Steele and West—7.

NAYS.—Mr. President, and Messrs. Alcorn, Beene, Drane, Ellett, Greer, Graves, Hough, Koger, McWillie, Monroe, Nelson, Oliver and Webb—14.

Mr. Alcorn called up House bill of the following title :

A bill to be entitled an act for the relief of Spencer A. Bobo, of Coahoma county ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn offered the following amendment to the bill, by way of additional section, which was adopted;

On motion of Mr. Alcorn, the rule was further suspended, the bill as amended, read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Greer called up from the table, a bill to be entitled an act to prohibit the circulation of bank bills, of less denomination than five dollars.

On motion of Mr. Koger, the bill was postponed and made the order of the day for 3 o'clock, to-morrow afternoon.

On motion of Mr. Johnston,

The Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 14, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to amend an act incorporating the town of Woodville, in the county of Wilkinson, approved Feb. 10, 1836.

A bill to be entitled an act to change the time of holding the Probate Court of the county of Wilkinson.

A bill to be entitled an act to change the name of Eveline Deloach Ligon, to that of Eveline Deloach McNulty.

A bill to be entitled an act to amend the 4th section of an act entitled an act to provide for the leveeing of the Mississippi river,

in the county of Bolivar, so far as the same relates to Washington county.

A bill to be entitled an act for the relief of Thomas Shelby, late tax collector of Washington county.

A bill to be entitled an act to incorporate Carrollville Lodge No. 108, of Ancient Free and Accepted Masons, in the town of Carrollville, Tishemingo county.

A bill to be entitled an act amendatory of an act entitled an act to incorporate Maple Spring Male Academy, in Tippah county, approved Feb. 28th, 1852, and for other purposes.

A bill to be entitled an act to change the name of Matilda Catherine Farris to that of Matilda Catharine Sanders, and for other purposes.

A bill to be entitled an act to provide for the transcribing of the records of the Circuit and Probate Courts of Smith county.

A bill to be entitled an act to authorize and require the Board of Police of Scott county to apportion the School Fund of said county among the Police Districts thereof, and for other purposes.

A bill to be entitled an act to change the time of holding the Probate Court of the county of Pontotoc.

A bill to be entitled an act to amend an act to incorporate the town of Panola, in Panola county.

A bill to be entitled an act to authorize James Cole to hawk and peddle in the county of Oktibbeha.

A bill to be entitled an act to revise and continue in force an act to provide for the erection, repair, and preservation of Levees on the Mississippi river, in the county of Issaquena, approved Feb. 20, 1850.

In which the concurrence of the Senate is desired.

The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled an act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower.

A bill to be entitled an act to reduce into one the act incorporating the City of Natchez, and the several acts amendatory thereto.

Which are herewith returned to the Senate.

The House of Representatives have concurred in the amendment made by the Senate, to the House bill entitled an act granting ferry privileges to Johnson and Emerson O'Neal, of the county of Tunica.

Mr. Koger presented the petition of Wm. E. Stokes, of Noxubee county, which was referred to the committee on Propositions and Grievances.

Mr. Johnston presented the petition of Bruce and Hall, which was referred to the committee on Claims.

Mr. Webb, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles :

An act to authorize Johnson and Emerson O'Neal, their heirs or assigns, to establish and keep a ferry across the Mississippi river.

An act to allow and confirm the emancipation of a woman slave called Mary, and her children, according to the bequest and direction of the last will and testament of the late Thomas Y. Grinstead, deceased, of Lawrence county, and to authorize Wm. M. Porter to emancipate the slaves herein named.

An act for the benefit of Mississippi College.

An act to supply the loss of the classification of lands in the county of Choctaw, for the year 1842.

An act to amend an act entitled an act to amend an act to incorporate the towns of Canton, Madisonville and Livingston, in the county of Madison, and for other purposes, approved Feb. 26, 1836, and approved May 13, 1837,

And have found the same correctly enrolled.

Mr. Beene, from the committee on the Judiciary, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to amend the law on the subject of garnishment and attachment, and have adopted an amendment thereto, which is herewith submitted, and recommend the passage of the bill, as amended.

The amendments made by the committee, to the bill, were then adopted, and the bill ordered to be engrossed and made the order of the day for to-morrow, at 12 o'clock.

The following message was received from the House of Representatives, through their clerk, Mr. Russell :

MR. PRESIDENT---The Speaker of the House of Representatives has signed bills of the following titles :

An act to authorize Johnson and Emerson O'Neal, their heirs or assigns, to establish and keep a ferry across the Mississippi river.

An act to allow and confirm the emancipation of the woman slave called Mary, and her children, according to the bequest and direction of the last will and testament of their former owner, the late Thos. Y. Grinstead, deceased, of Lawrence county, and to authorize William M. Porter to emancipate the slaves herein named.

An act for the relief of Mississippi College.

An act to supply the loss of the classification of lands in the county of Choctaw, for the year 1842,

An act to amend an act entitled an act to amend an act to incorporate the towns of Canton, Madisonville and Livingston, in the county of Madison, and for other purposes, approved Feb. 26, 1836, and approved May 13, 1837.

Which are herewith presented to the Senate for the signature of the President.

Mr. Ellett, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The standing committee on the Judiciary, have had under consideration,

An act entitled an act further to amend the 6th section of an act entitled an act to change the forms of Pleading in the Circuit Courts of this State,

And have adopted an amendment thereto, which is herewith submitted, and they recommend the passage of the bill as amended.

The amendments made by the committee, to the bill, were then adopted; the bill read the third time and passed.

On motion of Mr. Ellett, the words "sixth section of," were stricken out of the title.

Ordered, That the title, as amended, stand as stated.

Mr. Webb, from a select committee, made the following report :

MR. PRESIDENT—The select committee to whom was referred,

A bill to be entitled an act to establish a Deaf and Dumb Institute, at or near the town of Pontotoc, in the county of Pontotoc,

Have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend its passage.

A division of the question being called for, the report was received.

The question was then taken upon agreeing to the report of the committee, and decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Alcorn, Arthur, Beene, Berry, Cobb, Johnston, McWillie, Nelson, Pope, Pegues, Reynolds, West, and Webb—13.

NAYS—Mr. President, Messrs. Acker, Bennett, Drane, Ellett, Greer, Graves, Hough, Koger, Monroe, Oliver, Ramsay, Steele, and Stuart—14.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to amend the laws in relation to the Boards of Police and the working of roads, in the counties of Wilkinson, Franklin, and Hinds.

A bill to be entitled an act to incorporate the town of Winstonville, in the county of Winston.

A bill to be entitled an act for the benefit of Moses M. and Lorenzo Munholland, of the county of Yazoo.

A bill to be entitled an act to amend an act entitled an act to

incorporate the Grenada Turnpike and Ferry Company, approved March 3, 1852.

A bill to be entitled an act to authorize James Aston and Harmon H. Bridgas, administrators of William H. Shaw, deceased, to compromise and adjust certain claims of that estate.

A bill to be entitled an act for the relief of the Natchez Orphan Asylum, and the St. Mary's Orphan Asylum.

In which the concurrence of the Senate is desired.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to change the name of James R. Pigg, of Leake county.

A bill to be entitled an act for the relief and benefit of the widow and heirs of John A. Hairston, deceased.

A bill to be entitled an act to amend an act to incorporate the Constitution Fire Engine Company, No. 1, of the City of Vicksburg, approved Feb. 22, 1840.

A bill to be entitled an act to incorporate the Hills City Collegiate Institute.

A bill to be entitled an act to secure and establish a ferry across the Mississippi river, at Vicksburg.

A bill to be entitled an act to incorporate the town of Ocean Springs, in the county of Jackson.

A bill to be entitled an act for the relief of Mrs. Elizabeth A. Long.

Which are herewith returned to the Senate.

The House of Representatives have concurred in the amendment made by the Senate to the House bill entitled an act for the relief of Spencer A. Bobo, of Coahoma county.

On motion of Mr. Ellett, the vote just taken on agreeing to the report of the committee, was re-considered, and the report agreed to.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed a bill to be entitled

An act to amend an act to incorporate the Mobile and New Orleans Railroad Company, approved 25th Feb. 1852.

I am also instructed by his Excellency, to transmit to the Senate a message in relation to a preamble and resolution of the Alabama Legislature, on the subject of the Memphis and Charleston Railroad, accompanied by a letter to the Governor of this State, from the Governor of Alabama,

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act to legalize the ac-

knowledge of deeds, taken before the members of the Boards of Police of any county in this State, heretofore or hereafter made for land lying in a different county, and have adopted an amendment thereto, by way of substitute, which is herewith submitted, and recommend the passage thereof.

On motion of Mr. Beene, the rule was suspended, and the bill read the third time and passed.

On motion of Mr. Beene, the title of the bill was amended.

Ordered, That the title as amended, stand as stated.

Mr. Alcorn called up the bill for the further issue of swamp land scrip.

Mr. Alcorn moved to amend, by two additional sections, which were adopted.

Mr. West offered the following amendment :

Amend by striking out the following words, in the 3d and 4th lines of the 10th section, viz: "After the first of April next."

Mr. Drane moved to amend the bill by an additional section, which was adopted.

The bill was ordered to be engrossed, and made the special order of the day for to-morrow.

On motion of Mr. Hough, the vote taken on yesterday upon the bill to amend an act to incorporate Wilder Lodge No. 21, I.O.O.F. in Aberdeen, was re-considered.

On motion of Mr. Acker, the bill was then re-committed to a select committee of three.

The President appointed on said committee, Messrs. Acker, Hough, and West.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to change the time of holding the Courts of Leake and Attala counties ;

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pope, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to change the time of holding the Probate Court of Wilkinson county ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to change the Judicial Districts, and for other purposes ;

Which was read the first time:

On motion of Mr. Acker, the rule was suspended, the bill read the second time, and referred to the Judiciary committee.

On motion of Mr. Alcorn, the Senate took a recess, until three o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Arthur called up House bill of the following title:

A bill to be entitled an act for the relief of Parthena E. Wheeler and her children;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Steele introduced a bill of the following title:

A bill to be entitled an act for the relief of Robert M. Gill, a minor, of Chickasaw county;

Which was read the first time.

On motion of Mr. Steele, the rule was suspended, and the bill read the second time by title.

The President declared that, as the bill contained the subject matter of a bill that was indefinitely postponed, it was out of order.

Mr. Monroe introduced a bill of the following title:

A bill to be entitled an act to incorporate the New Orleans and New York Railroad Company;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Monroe, Drane and Ramsay.

Mr. Bennett called up House bill of the following title:

A bill to be entitled an act to regulate the granting of licenses to retail vinous or spiritous liquors;

Which was read the first time.

On motion of Mr. Bennett, the rule was suspended, and the bill read the second time by its title.

Mr. Koger offered an amendment, by an additional section.

The question being taken on the adoption of the amendment, was decided in the affirmative.

Mr. Bennett offered to amend, by striking out the "first of April next," in the 9th section, and insert, "from and after its passage;"

Which was adopted.

Mr. Ellett moved to amend, by striking out the following words, in the first section :

“Resident in the ward in which said license is to be issued, if the town or city is divided into wards, otherwise, by a majority of the legal voters ;”

Which was adopted.

Mr. Ellett moved to amend the bill by striking out the words, “fines and licenses,” in 8th section, and insert, “money received for licenses and fines ;”

Which was adopted.

Mr. Greer moved to amend the bill, by inserting, in the 2d and 5th line, of the 4th section, after the word “medicinal,” the word, “sacramental ;”

Which was adopted.

Mr. Cobb moved to amend the bill, in the 2d and 5th lines of 4th section, by inserting before the word “medicinal,” the word “culinary.”

Mr. Greer moved to lay the amendment on the table :

Which was lost.

The question was then taken on the adoption of the amendment, and carried.

Mr. Beene offered the following amendment :

Amend section 3d by striking out of said section all after the words “pains, penalties, and forfeitures,” and insert the following: “now prescribed by law for retailing without license ;”

Which was adopted.

On motion of Mr. Webb, the rule was suspended, the bill, as amended, was read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Greer,

The Senate adjourned until $\frac{1}{2}$ past 9 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 15, 1854.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The President presented the claim of J. T. Simms, which was referred to the committee on claims.

Mr. McWillie presented the memorial of the conference of the Methodist Episcopal Church on temperance;

Which was referred to the committee on Temperance.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of William E. Stokes, a minor, of Noxubee county, have had the same under consideration, and have instructed me to report, that, in their opinion, it would be impolitic to grant the prayer of the petitioner.

Mr. Berry, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of John S. Allen, and A. R. Carter, have had the same under consideration, and have instructed me to report, that, in their opinion, the legislature of the State of Mississippi is not the proper source to apply to for relief, and therefore beg leave to be discharged from the further consideration of the same.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property, by cars, or railroad machinery in this State, approved March 16th, 1852, and have instructed me to report the same back to the Senate, without amendment, and recommend the passage thereof.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration the petition of A. Cole, and others, citizens of Pontotoc county, praying the passage of a law, authorizing the sale of certain real estate therein named, and have instructed me to report the same back to the Senate, with a recommendation that said prayer be not granted, inasmuch as the law already makes ample provision to meet the case stated by the petition, and ask to be discharged from the further consideration of the subject;

All of which is respectfully submitted.

Mr. Beene, from the same committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on the Judiciary have had under consideration a bill to be entitled an act to amend the criminal law of this State, and have instructed me to report the same back to the Senate, without amendment, and recommend that said bill do not pass.

Mr. Ellett, from the Judiciary Committee, made the following report, which was received and agreed to:

MR. PRESIDENT.—The standing committee on the Judiciary, to whom was referred a bill entitled "an act for the benefit of the Mississippi University," have had the same under consideration,

and have instructed me to report, that, in the opinion of the committee, the present laws are entirely sufficient to cover the object intended, and, therefore, they recommend that the said bill do not pass.

Mr. Ellett, from the same committee, made the following report :

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a bill entitled “an act to provide for the arrest of fugitives from justice from another State,” have had the same under consideration, and being of opinion that the present laws on the subject referred to, do not require amendment or alteration, have instructed me to report the said bill back to the Senate, and to recommend that the same do not pass.

A division being called for, the report was received.

The question was then taken on agreeing to the report, and carried.

Mr. Ellett, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred a bill entitled “an act amendatory of the law in relation to the attendance of witnesses,” have had the same under consideration, and have instructed me to report the same with an amendment, to be added as a proviso to the first section of said bill.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT.—The committee on Engrossed Bills have this day examined a bill to be entitled an act to amend the laws on the subject of garnishments and attachments, and have found the same correctly engrossed.

Mr. Webb called up Senate bill to be entitled an act to amend the laws on the subject of garnishments and attachments ;

Which was read the third time.

Mr. Beene moved to postpone the further consideration of the bill until to-morrow at 11 o'clock.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act to grant the right of way to the Memphis and Charleston Rail Road Company, and for other purposes, and have made an amendment thereto ;

In which the concurrence of the Senate is desired.

The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled “an act to regulate the granting of licenses for the retail of vinous and spiritous liquors.”

I am instructed by the House of Representatives to notify the Senate of the death of the Hon. Edmund Smith, late a member of

the House of Representatives, from the county of Sunflower, that suitable resolutions have been adopted by the House in reference thereto, and that the House, in respect to the memory of the deceased, have determined to adjourn until 10 o'clock to-morrow morning.

The House have appointed the following committee to make suitable arrangements for the burial of the deceased, to-wit:

Messrs. Gordon, Anderson, Mitchell, Bass and Matthews.

Mr. Acker, from a select committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to amend an act entitled an act to incorporate Wilder Lodge, No. 21, I. O. O. F., in the city of Aberdeen, have had the same under consideration, have amended the same by striking out the following words: "On such terms as may be agreed upon, and loan them on any such securities, in any manner and on any terms that may be agreed upon between the party," have instructed me to report back the bill as amended and recommend its passage.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Johnston, the Senate took up the message received from the House of Representatives, in relation to the death of the Hon. Edmund Smith, of Sunflower county.

The following message was received from the House of Representatives, by their clerk, Mr. Bassell:

MR. PRESIDENT—I am directed to inform the Senate of the adoption of the following resolutions by the House of Representatives:

WHEREAS, It is with deep regret that this House has been informed of the death of the Hon. Edmund Smith, late a member of this House from the county of Sunflower—

Therefore, in commemoration of the respect this House entertains for the deceased,

Resolved, That in the death of Mr. Smith, his county has lost an able and faithful representative, the State a useful and good citizen, and this House one of its oldest members.

Resolved further, That the members of this House will wear the usual badge of mourning, as a token of respect for the deceased, for the space of thirty days.

Resolved further, That our heartfelt sympathy is hereby tendered to the bereaved family and friends of the deceased in their affliction, and that the clerk of this House be directed to furnish the family with a copy of these resolutions.

Resolved further, That a committee of five members of this House be appointed to act with such a committee as may be appointed by the Senate, to arrange the funeral ceremonies for the burial of the deceased, and that both Houses attend his funeral.

Resolved further, That as an additional mark of our respect for the memory of the deceased, that this House adjourn until 10 o'clock, to-morrow morning.

The committee appointed on the part of the House, under the 4th resolution, are Messrs. Gordon, Anderson, Mitchell, Bass and Matthews.

On motion of Mr. West, the message just received from the House of Representatives, was taken up :

Mr. West offered the following resolution, which was adopted :

Resolved, That the Senate concur in the resolutions of the House, in reference to the death of the Hon. Edmund Smith, Representative from the county of Sunflower, and appoint a committee of five to act with the House committee, to arrange the funeral ceremonies, and that the Senate will adjourn until ten o'clock, to-morrow morning.

The President appointed on said committee, Messrs. West, Johnston, Koger, Ramsay and Webb.

On motion of Mr. Webb, the name of Mr. Pettus was placed on said committee, instead of the name of Mr. Webb.

The committee of arrangements made the following report :

MR. PRESIDENT—The select committee appointed to prepare a programme of the funeral ceremonies of Hon. Edmund Smith, late a member of the House of Representatives from the county of Sunflower, report the following as the order of procession :

- 1st. President of the Senate and Speaker of the House.
- 2nd. Officers of the two Houses.
- 3rd. Senate.
- 4th. House of Representatives.
- 5th. Governor and Private Secretary.
- 6th. Judges of High Court of Errors and Appeals and Chancellor.
- 7th. State officers.
- 8th. Citizens generally.

Adjutant-General, Charles B. Green, to act as Marshal of the day, assisted by the Sergeant-at-Arms, and Door Keepers of the two Houses.

The procession to be formed in the Hall of the House of Representatives, at thirty minutes past three o'clock, p. m.

The committee of arrangements have appointed Eli Abbott, James R. Burrus, William A. Ward, Thomas W. White and E. R. Burt, on the part of the House, and James L. Alcorn, Joseph B. Cobb, William McWillie, B. R. Webb and Robert H. Greer, on the part of the Senate, as pall bearers.

On motion of Mr. West,

The Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, FEBRUARY 16, 1854,

The Senate met pursuant to adjournment,
And was opened with prayer by the Rev. Mr. Lowry.

The journal of yesterday was read.

Mr. Ellett presented the petition of sundry citizens of Claiborne county, which was referred to a select committee of three.

The President appointed on said committee, Messrs. Ellett, Monroe, and Drane.

Mr. Arthur presented the petition of L. Lewis, of Vicksburg, which was referred to a committee of seven.

The President appointed on said committee, Messrs. Arthur, McWillie, Koger, Cobb, Farrar, Drane, and Munroe.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to change the time of holding the Probate Court of the county of Wilkinson.

An act for the relief of Parthena E. Wheeler, and her children.

An act for the relief of Spencer A. Bobo, of Coahoma county.

An act to regulate the granting of licenses to retail vinous and spiritous liquors.

And have found the same correctly enrolled.

They have also presented to his Excellency the Governor, for his signature and approval, bills of the following titles :

An act to authorize Johnston and Emerson O'Neal, their heirs or assigns to establish and keep a ferry across the Mississippi river.

An act for the benefit of Mississippi College,

An act to allow and confirm the emancipation of the woman slave Mary, and her children, according to the bequest and direction of the last will and testament of their former owner, the late Thomas Y. Grinstead, deceased, of Lawrence county, and to authorize Wm. M. Porter to emancipate the slaves herein named.

An act to amend an act entitled an act to incorporate the towns of Canton, &c., in the county of Madison.

An act to supply the loss of the classification of lands, in the county of Choctaw, for the year 1842.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act for the relief of Parthena E. Wheeler, and her children.

An act to change the time of holding the Probate Court of the county of Wilkinson.

An act for the relief of Spencer A Bobo, of Coahoma county.

An act to regulate the granting of licenses to retail vinous or spiritous liquors.

Which are herewith presented to the Senate for the signature of the President.

Mr. Webb, from the apportionment committee, made the following report, which was received.

MR. PRESIDENT—The committee to whom was referred the apportionment of Representatives and Senators in the Legislature of this State, have performed the duty assigned them, and have instructed me to report the bill herewith submitted, and recommend its passage.

The bill was then read the first time.

On motion of Mr. Webb, the bill was laid on the table, and 200 copies order to be printed.

Mr. Bennett introduced the following resolution, which was adopted:

Resolved, That hereafter the Senate will meet at 9 o'clock each morning, until otherwise ordered.

Mr. Graves introduced a bill of the following title:

A bill to be entitled an act to incorporate Ellisville Lodge No. 161, of Free and Accepted Masons, and for other purposes;

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill was read a second time by title.

On motion of Mr. Graves, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Monroe, from a select committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to incorporate the New Orleans and New York Railroad Company, and for other purposes, have instructed me to report the bill back to the Senate, with an amendment, and ask its passage.

The amendments made by the committee, to the bill, were then adopted.

On motion of Mr. Ramsay, the bill was referred to the committee on Internal Improvements.

Mr. Ellett introduced the following resolution, which was adopted:

Resolved, That the Senate will hold evening sessions at seven o'clock, commencing this evening, for the purpose of calling the counties in alphabetical order for the introduction and disposition of local bills, and such sessions shall be continued until all the counties have been called, and no other business except local bills shall be in order at such session.

Mr. Reynolds introduced a bill of the following title:

A bill to be entitled an act to abolish the salaries of Adjutant and Quarter-master General, and for other purpose ;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Reynolds, the bill was referred to the committee on the militia.

Mr. Berry introduced a bill of the following title:

A bill to be entitled an act in relation to the rate of interest ;

Which was read the first time.

On motion of Mr. Berry, the rule suspended, and the bill read the second time by its title.

Mr. Adams moved to amend, by striking out the words, "not exceeding ten per cent. per annum ;"

Which was lost.

Mr. Johnston offered the following amendment :

"Provided, nothing in this act shall be so construed as to apply to any other contracts than those of money loaned,—and those of money loaned shall be gold and silver ; which,

On motion of Mr. Berry, was laid on the table.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

The Senate then proceeded to the consideration of the special order of the day,—the bill to lay off the State into five Congressional Districts.

The Senate went into committee of the whole, on said bill, Mr. Drane in the chair.

Pending the discussion,

The following message was received from his Excellency the Governor, by his private secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to supply the loss of the classification of lands in the county of Choctaw, for the year 1842.

An act to amend an act entitled an act to incorporate the town of Canton, in the county of Madison.

An act for the benefit of Mississippi College.

After some time spent thereon, the committee rose, reported progress and asked leave to sit again at 3 o'clock this evening ;

Which report was received and agreed to.

On motion of Mr. Greer,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate met pursuant to adjournment,

And went into committee of the whole, on the bill laying off the State into five Congressional Districts,—Mr. Drane in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

Mr. Drane, from the committee of the whole, made the following report :

MR. PRESIDENT—The committee of the whole have had under consideration, a bill to be entitled an act to lay off the State of Mississippi into five Congressional Districts, and have amended the same, and have instructed me to report the bill back, as amended, and recommend its passage.

A division of the question being called for, the report was received.

The question was then taken, on agreeing to the report, and carried.

The question was then taken on the adoption of the amendment made in committee of the whole, and decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Acker, Allen, Beene, Bennett, Drane, Ellett, Graves, McWillie, Monro, Pope, Ramsay, and Steele—11.

NAYS—Mr. President, Messrs. Adams Alcorn, Arthur, Berry, Cobb, Greer, Johnston, Koger, Nelson, Oliver, Pegues, Reynolds, Stuart, West, and Webb—16.

Mr. Acker offered an amendment as a substitute.

Mr. Greer moved to lay the amendment on the table ;

Which was carried, by ayes and noes as follows :

AYES — Mr. President, Messrs. Berry, Cobb, Drane, Ellett, Greer, Graves, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Steele, Stuart, West, and Webb—20.

NAYS—Messrs. Adams, Alcorn, Acker, Arthur, Allen, Beene, and Reynolds—7.

Mr. Monroe moved to strike out "Covington and Jones," from the 5th, and add to the 4th district.

Mr. Greer moved to lay the amendment on the table, and carried.

Mr. Acker moved to amend, by adding the counties of Sunflower and Bolivar, to the third district.

Mr. Greer moved that the amendment be laid on the table, which was carried, by aye, and noes, as follows :

YEAS—Mr. President, Messrs. Adams, Berry, Drane, Ellett, Greer, Graves, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Steele, Stuart, and Webb—19.

NAYS—Messrs. Alcorn, Acker, Arthur, Beene, Cobb, and Reynolds—6.

Mr. Stuart moved to amend, by adding to the third district, the counties of Holmes and Washington, and to the 4th district the county of Lauderdale,

Which was lost.

Mr. Greer moved a re-consideration of the vote taken on the adoption of the amendment offered by Mr. Bennett;

Which was lost.

The rule was then suspended, the bill read the third time, and passed, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Berry, Drane, Ellett, Greer, Graves, Koger, McWillie, Monroe, Oliver, Pope, Pegues, Ramsay, Steele, Stuart, and Webb—16.

NAYS—Messrs. Adams, Alcorn, Arthur, Acker, Beene, Cobb, Johnston, Nelson, Reynolds, and West—10.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act supplemental to an act to amend the charter of the Mississippi and Tennessee Railroad.

A bill to be entitled an act to authorize the recording of powers of attorney, and for other purposes.

A bill to be entitled an act to authorize a compilation of Criminal Law.

A bill to be entitled an act to increase the number of the Laws and Journals printed for distribution.

In which the concurrence of the Senate is desired.

On motion of Mr. Greer.

The Senate took a recess until seven o'clock to-night.

SEVEN O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. West moved to re-consider the vote taken on the passage of the bill districting the State;

Which motion was lost.

Mr. Ellett called up House bill of the following title:

A bill to be entitled an act to amend an act entitled an act reducing the fees of certain offices therein named, approved Feb. 16, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Green, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson, and Rankin, approved February, 26th, 1846;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to amend the charter of Jefferson College ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to further amend the charter of Jefferson College ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to incorporate the St. Mary's Orphan Asylum, a charitable and educational institution, in the City of Natchez ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act for the relief of Wm. Winston ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

Mr. Pope introduced a bill of the following title :

A bill to be entitled an act to reduce the fees of the sheriffs and probate clerks of Leake and Attala counties ;

Which was read the first time.

On motion of Mr. Pope, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pope, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Nelson called up House bill of the following title :

A bill to be entitled an act to incorporate the town of Liberty, in the county of Amite and State of Mississippi ;

Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, and the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Nelson called up House bill of the following title :

A bill to be entitled an act to legalize the return of delinquent lands in Amite county ;

Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Nelson called up a memorial of the following title :

A memorial to the Congress of the United States, for lands to aid in the construction of the Amite County Railroad ;

Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, and the memorial read the second time and passed.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to amend an act to provide for the leveeing of the Mississippi river, in the county of Bolivar, approved Feb. 1, 1850 ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Drane called up House bill of the following title :

A bill to be entitled an act for the relief of A. B. Robinson ;

Which was read the first time.

On motion of Mr. Drane, the rule was suspended, and the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Drane, Ellett, and Ramsay.

Mr. West called up House bill of the following title :

A bill to be entitled an act for the relief of James M. McLean, and Jesse B. Walton ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

On motion of Mr. West, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Steele called up House bill of the following title :

A bill to be entitled an act for the relief of Samuel Hale, of Chickasaw county ;

Which was read the first time.

On motion of Mr. Steele, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Steele called up House bill of the following title :

A bill to be entitled an act for the relief of William Burt, of Chickasaw county ;

Which was read the first time.

On motion of Mr. Steele, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Drane called up House bill of the following title :

A bill to be entitled an act to incorporate the town of French Camp, in the county of Choctaw ;

Which was read the first time.

On motion of Mr. Drane, the rule was suspended, and the bill read the second time by title.

Mr. Drane moved to amend the third section, by striking out all after the word, "except," in the 17th line, and insert after "except," the words, "in cases of attachment, and where the party defendant resides within the corporate limits of said town;" which was adopted.

Mr. Drane moved to amend the 5th sect. in 14th line, by adding after the word "benefit," the words, "of the female academy," which was adopted.

The bill, as amended, was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to repeal all laws exempting school trustees, in the county of Claiborne, from serving as jurors ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to incorporate the Port Gibson and Homochitto Plank Road Company ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to amend the laws in relation to Probate Courts, so far as relates to the counties of Claiborne and Jefferson ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act to amend the charter of the Grand Gulf and Port Gibson Railroad Company ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn moved to amend, by an additional section, which was lost.

On motion of Mr. Reynolds,

The Senate adjourned until to-morrow morning 9 o'clock.

FRIDAY, FEBRUARY 17, 1854.

The Senate met pursuant to adjournment,

The Journal of yesterday was read.

Mr. Oliver, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee who have had under their consideration a bill to be entitled an act to authorize the heirs of James W. Holbert, dec'd., to establish and keep a ferry across the Mississippi river and other purposes, have instructed me to report the same back with an amendment, and recommend its passage.

The bill was read the third time and passed, by yeas and nays, as follows :

AYES—Mr. President, and Messrs. Acker, Arthur, Allen, Beene, Bennett, Berry, Drane, Ellett, Greer, Graves, Johnston, Koger, Holson, Oliver, Pope, Pegues, Ramsay, Reynolds, Steele, West and Webb—22.

NAYS.—Messrs. Alcorn, Cobb and McWillie—3.

Ordered, that the title thereof stand as stated.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Engrossed

Bills have this day examined "a bill to be entitled an act to provide for the further issue of swamp land scrip for the purpose of aiding in the completion of the levees upon the Mississippi river, and have found the same correctly engrossed.

Mr. West, from a joint select committee, made the following report, which was received and agreed to :

The joint select committee raised to take into consideration the propriety of amendments to the Constitution of the State, have had several propositions under consideration, and have instructed me to report the following bill, and recommend its passage.

The bill was read the first time.

On motion of Mr. Koger, the bill was laid on the table and 200 copies ordered to be printed, and made the special order of the day for to-morrow.

Mr. Acker, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The Judiciary committee, to whom was referred a bill entitled an act to change the Judicial Districts, and for other purposes, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

Mr. Ellett, introduced the following resolution, which was adopted :

Resolved, That the standing committee on State and Federal Relations be directed to enquire into the expediency of an expression of the views of this Legislature, in relation to the adherence, by Congress, to the principle incorporated in the Compromise measures of 1850, on the subject of slavery restriction in the Territories of the United States, and especially in relation to the application of that principle to the proposition now pending for the creation of the Territory of Nebraska ; and that said committee report by resolution or otherwise.

Mr. West introduced the following joint resolution :

Resolved, by the Legislature of the State of Mississippi, That the Auditor of Public Accounts be authorized and required to issue his warrant on the treasurer, in favor of the legal representatives of Hon. Edmund Smith, dec'd., late a member of the House of Representatives, from the county of Sunflower, for the whole, or, if any part has been drawn by said Smith, then for such part of his mileage and per diem, as he would have been entitled to, provided he had lived and served to the end of the present session of the Legislature.

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the resolution adopted :

Mr. Arthur introduced the following resolution, which was adopted :

Resolved, That the committee on the Penitentiary be instructed

to enquire into the expediency, and the practicability, of providing that the surplus steam from the engine be used in warming the Cotton Factory building in said institution, so as to dispense with the use of stoves therein.

Mr. Graves moved a reconsideration of the vote taken on yesterday, on the bill Districting the State.

The President decided that the motion was out of order, and an appeal being taken from the decision of the Chair, the Chair was sustained.

Mr. Ramsay called up a memorial of the Legislature to the Congress of the United States, asking for a grant of land to aid in the construction of the Gulf and Ship Island Rail Road;

Which was read the second time and adopted.

The Senate then proceeded to the consideration of the order of the day—

A bill for the further issue of swamp land scrip.

Mr. Alcorn moved to amend the bill by an engrossed ryder;

Which was adopted.

Mr. Johnston offered an amendment by way of ryder.

On motion of Mr. Alcorn, the amendment was laid on the table.

The bill was then read as amended, and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Acker, the bill to aid in the construction of the New Orleans, Jackson and Great Northern Railroad, was taken up.

Pending the discussion,

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles:

An act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower.

An act to establish a ferry across the Mississippi river, at Vicksburg.

An act for the relief of Mrs. Elizabeth A. Long.

An act to incorporate the Hill City Collegiate Institute.

An act for the relief of the widow and heirs of John A. Hairston, deceased.

An act to change the name of James R. Pigg, of Leake county.

An act to amend an act to incorporate the Constitution Fire Engine Company, No. 1, of the City of Vicksburg, approved February 22nd, 1840;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have concurred in the joint resolution of the Senate in relation to Jefferson College;

Also, in the joint resolution in relation to the press in the Auditor's office;

Also, in the joint resolution for the adjournment of the Legislature, on Thursday, the 2nd day of March next, at 12 o'clock, m.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act supplemental to an act entitled an act to provide for the more prompt payment of the fees of witnesses summoned on behalf of the State, approved March 16, 1852.

A bill to be entitled an act to amend an act to authorize and regulate county subscriptions for rail road stock.

A bill to be entitled an act to amend an act entitled an act to incorporate the Mississippi Manufacturing Company, approved March 11, 1852.

A bill to be entitled an act to amend the 2nd section of an act to prevent the importation and spreading of the small pox, and other contagious diseases, passed June 10, 1822.

A bill to be entitled an act to amend an act entitled an act to incorporate the Trustees of Zion Seminary, in the county of Covington, approved February 11, 1846.

A bill to be entitled an act to prescribe the time of holding the Probate Court of Chickasaw county.

A bill to be entitled an act to amend the common school law, so far as the same relates to the county of Pike.

A resolution in relation to the Superintendent of the Blind Asylum;

Which are herewith returned to the Senate.

The following message was received from his Excellency, the Governor, by his private Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to transmit to the Senate a message, in writing, asking their advice and consent to the appointment of certain Inspectors of the State Penitentiary.

On motion of Mr. West,

The Senate took a recess until this afternoon at 3 o'clock.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The recess having expired, the Senate met, and resumed the consideration of the bill in aid of the New Orleans, Jackson, and Great Northern Rail Road.

The question was taken on the amendment offered by Mr. Bennett, on striking out and inserting.

A division of the question being called for, the motion to strike out was lost, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Allen,

Bennett, Cobb, Ellett, Graves, Johnston Koger, Monroe, Ramsay and Stuart—13.

NAYS—Messrs. Adams, Acker, Beene, Berry, Drane, Greer, McWillie, Nelson, Oliver, Pegues, Reynolds, Steele, West and Webb—14.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following resolution:

Resolved, That the Senate be requested to return to the House of Representatives, a joint resolution of the Senate concurred in by the House this day, in relation to Jefferson College, with a view to move a reconsideration thereof.

On motion of Mr. Pettus, the consideration of the bill was suspended for the purpose of taking up the message from the House of Representatives.

On motion of Mr. Pettus, the Secretary of the Senate was instructed to return to the House the resolution mentioned in the message.

The Senate again resumed the consideration of the order of the day.

Mr. Adams offered the following amendment:

Amend by striking out all after the words "rail road," in the 4th line, and of the 5th section, and insert—

Provided, That the said money so received, or to be received, shall be applied to the construction of that portion of the said New Orleans, Jackson, and Great Northern Rail Road, lying within the State of Mississippi, between the Louisiana State line, and the town of Canton, in Madison county.

The question was taken upon the adoption of the amendment, and lost.

Mr. Alcorn offered an amendment as a substitute for the 5th section of the bill;

Which was lost.

Mr. Adams offered an amendment as a substitute for the 2nd section;

Which was lost.

Mr. Johnston offered an amendment by an additional section;

Which was lost.

Mr. Ellett moved to amend the fifth section by adding thereto the following amendment:

Provided, however, That the several rail roads mentioned in this section, when made, shall be free for the transportation of the United States mail and munitions of war, and for the passage of their troops, without the payment of any toll whatever, in pursuance of the conditions upon which the said five hundred thousand acres of land were donated to this State by the act of Congress of

the 4th of September, 1841, and of the acceptance thereof, by the legislature of this State, by the act of 26th of February, 1842.

Mr. Greer moved to lay the amendment on the table ;

Which motion was lost.

Pending the discussion,

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT.—The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act further to amend an act entitled an act to incorporate the Mississippi Central Rail Road Company, approved March 10, 1852.

A bill to be entitled an act to repeal an act entitled an act to prevent the sacrifice of real estate sold under execution, decrees in Chancery, and deeds of trust, passed 28th February, 1842 ;

And have made an amendment to the last named bill ;

In which the concurrence of the Senate is desired.

Pending the further discussion,

The Senate went into executive session on the message of His Excellency, appointing John M. Moore, James C. Napier and Charles Manship, as Inspectors of the State Penitentiary.

On motion of Mr. Ramsay, the Senate advised and consented to the appointments.

On motion of Mr. Greer, the executive session was then dissolved.

On motion,

The Senate took a recess until 7 o'clock this evening.

7 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Acker introduced the following resolution, which was adopted :

Resolved, That the House of Representatives, be requested to return to the Senate, a bill authorizing — Burke to peddle in the counties of Monroe and Chickasaw, without license, with a view to a reconsideration of the said bill.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act to amend an act entitled an act for the relief of Benjamin Franklin Allen.

Which was read the first time,

On motion of Mr. McWillie, the rule was suspended and the bill was read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to amend the 4th section of an act entitled an act to provide for the leveeing of the Mississippi river, in the county of Bolivar, so far as the same relates to Washington county ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill was read the second time by title.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time, and referred to a select committee of three.

The President appointed on said committee, Messrs. Johnston, McWillie and Alcorn.

Mr. Graves called up House bill of the following title :

A bill to be entitled an act to authorize the Assessor and Tax Collector of Covington county to re-assess the taxes for said county, and collect the same for the year 1853.

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill of the following title :

A bill to be entitled an act to amend an act entitled an act to amend an act to incorporate the town of Union, in the county of Coahoma, approved October 16th, 1852 ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill of the following title :

A bill to be entitled an act for the relief of Hon. Geo. K. Morton, Probate Judge of Coahoma county ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act to reduce the fees of certain officers of Coahoma county.

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill of the following title :

A bill to be entitled an act to incorporate the Olive Branch and Cochrum Plank Road Company;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Oliver, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to establish a system of common schools in the county of Hancock.

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to change the name of Harriet M. Parker, to Harriet M. Sheriff, and for other purposes;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to incorporate the Bay of St. Louis Lodge, No. 147, of Ancient Free and Accepted Masons, and for other purposes ;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to authorize the President and selectmen of the town of Shieldsboro, to raise a special tax on the real estate within said town ;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up memorial from the House to the Congress of the United States, in relation to a Stage route;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the memorial read the second time and adopted:

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to change the name of Ephra Deallman, and for other purposes;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to change the time of holding the Circuit Court of Harrison county;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the second time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to incorporate Alpha Circle No. 1, of Social Circles,

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, and the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to change the name of George Toby to that of George Toby Howard;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to incorporate the First Encampment of the order of Good Fellows, at Biloxi, in Harrison county,

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act for the relief of Kitty and John Curran, jr. ;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

Mr. Ramsay called up House bill of the following title :

A bill to be entitled an act to authorize Donald McBean to build a bridge across Bernard's bayou, in Harrison county;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to authorize a compilation of criminal law;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act granting a charter to John Byram, to build a bridge across Pearl river ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to incorporate Central Female Institute, at Clinton, in Hinds county ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by its title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time by its title and passed.

Ordered, that the title stand as stated.

Mr. Adams called up House bill of the following title :

A bill to be entitled an act to amend the laws in relation to the Board of Police, and the working of roads in the counties of Wilkinson, Franklin, Hinds and Marshall ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

Mr. Arthur moved to amend by inserting "Warren" in the "title," and in the first section of the bill,

Which was adopted.

On motion of Mr. Johnston,

The Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY; FEBRUARY 18, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

The Journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles:

An act further to amend the charter of Jefferson College.

An act to amend an act entitled an act to amend an act reducing the fees of certain offices therein named, approved Feb. 10, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Green, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson, and Rankin, approved February, 26, 1846.

An act to legalize the return of delinquent lands, of Amite county.

An act to incorporate the St. Mary's Orphan Asylum, a charitable institution, in the City of Natchez.

An act for the relief of James N. McLean and Jesse B. Walton, of Holmes county.

An act to lay off the State of Mississippi into five Congressional Districts, and for other purposes.

An act for the relief of Samuel Hale, of Chickasaw county.

A memorial to the Congress of the United States, for lands to aid in the construction of the Amite County Railroad.

An act to amend an act entitled an act to provide for the leveeing the Mississippi river, in the county of Bolivar, approved Feb. 1, 1850.

An act to amend the charter of Jefferson College.

An act to prescribe the time of holding the Probate Court of Chickasaw county.

An act to amend the 2d sec. of an act entitled an act to prevent the importation and spreading of the Small Pox and other contagious diseases, passed June 10, 1822.

An act to incorporate the Mississippi Manufacturing Company, approved March 11, 1852.

An act to amend an act to authorize and regulate county subscription for railroad stock, approved Oct. 21, 1852.

An act to amend an act entitled an act to incorporate the trustees of Zion Seminary, in the county of Covington, approved February 11, 1846.

Mr. Beene presented the petition of sundry citizens of Itawamba, Pontotoc, Tippah, and Tishemingo counties;

Which was referred to the committee on County Boundaries.

Mr. Webb presented the petition of sundry citizens of Lafayette and Marshall; which was referred to the committee on County Boundaries.

Mr. Cobb presented the petition of sundry citizens of the town of Columbus; which was referred to the committee of Propositions and Grievances.

Mr. Acker presented the petition of sundry citizens of Aberdeen; which was referred to the committee on Propositions and Grievances.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles:

An act to incorporate the Hills City Collegiate Institute.

An act for the relief and benefit of the widow and heirs of John A. Hairston, deceased.

An act to change the name of James R. Pigg, to that of James R. Dew, and for other purposes.

An act to amend an act to incorporate the Constitution Fire Engine Company, No. 1, of the City of Vicksburg, approved Feb. 22, 1840.

An act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower.

An act to secure and establish a ferry across the Mississippi river, at Vicksburg.

An act for the relief of Mrs. Elizabeth A. Long.

A act to incorporate the St. Mary's Orphan Asylum, a charitable and educational institution, in the City of Natchez.

An act for the relief of James N. McLean, and Jesse B. Walton, of Holmes county.

An act to lay off the State of Mississippi into five Congressional Districts, and for other purposes.

An act for the relief of Samuel Hale, of Chickasaw county.

A memorial to the Congress of the U. S. for lands to aid in the construction of the Amite County Railroad.

An act to amend an act entitled an act to provide for the leveeing of the Mississippi river, in the county of Bolivar, approved Feb. 1, 1850.

An act to prescribe the time of holding the Probate Court of Chickasaw county.

An act to amend the second section of an act entitled an act to prevent the importation and spreading of the Small Pox, and other contagious diseases, passed June 10, 1822.

An act to amend an act to authorize and regulate county subscriptions for railroad stock.

An act to amend an act entitled an act to incorporate the Mississippi Manufacturing Company, approved March 11, 1852.

An act to amend an act entitled an act to incorporate the Trustees of Zion Seminary, in the county of Covington, approved February 11, 1846.

An act supplemental to an act entitled an act to provide for the more prompt payment of the fees of witnesses summoned in behalf of the State, approved March 15, 1852.

An act to amend an act entitled an act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Green, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson, and Rankin, approved Feb. 26, 1846.

An an to amend the charter of Jefferson College.

An act further to amend the charter of Jefferson College.

An act to legalize the return of delinquent lands in Amite county.

And have found the same correctly enrolled.

They have also presented to his Excellency the Governor, for his signature and approval, bills of the following titles:

An act for the relief of Spencer A. Eobo, of Coahoma county.

An act to change the time of holding the Probate Court of the county of Wilkinson.

An act to regulate the granting of licenses to retail vinous or spiritous liquors.

Mr. Drane, from a select committee, made the following report, which was received and agreed to:

MR. PRESIDENT—The select committee to whom was referred, the bill for the relief of A. B. Robinson, have instructed me to report the bill back to the Senate and ask its passage.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Webb introduced the following resolution:

Resolved, That the committee on County Boundaries be instructed to report a bill providing for a new county, to be composed of territory from the counties of Tishomingo, Itawamba, Tippah and Pontotoc; also, another from the counties of Tippah, Marshall, Lafayette, and Pontotoc; and to provide for taking the sense of the legal voters within the limits of said new counties, respectively, as to their wishes in reference thereto.

Mr. Berry moved to amend, by inserting, "inquire into the expediency."

Mr. Koger moved to lay the resolution and amendment on the table; which was decided in the affirmative, by ayes and noes, as follows:

AYES—Messrs. Bennett, Berry, Cobb, Ellett, Greer, Koger, Monroe, Nelson, Oliver, Pegues, Ramsay, Steele, Stuart, and West—14.

NAYS—Messrs. Adams, Alcorn, Acker, Allen, Beene, Drane, Johnston, McWillie, Reynolds, and Webb—10.

Mr. Pegues introduced a bill of the following title:

A bill to be entitled an act to amend an act entitled an act for the benefit of the State University, approved Oct. 21, 1852;

Which was read the first time.

On motion of Mr. Pegues, the rule was suspended, the bill read the second time by title.

On motion of Mr. Pegues, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Bennett, from the committee on Elections, made the following report, which was received and agreed to:

MR. PRESIDENT—The standing committee on Elections, to whom was referred the credentials of the several Senators elect, of the Senate, have discharged the duties assigned them, and have instructed me to make the following report:

They have examined the credentials of the following named Senators elect, and find them to be in proper and legal form, and duly authorized; and the several named Senators have been duly and constitutionally elected members of the Senate of the State of Mississippi, viz:

Hon. E. C. Stuart, Senator from the district composed of the counties of Marion and Lawrence.

Hon. Wm. McWillie, Senator from the district composed of the counties of Madison and Scott.

Hon. J. M. Acker, Senator from the district composed of the county of Monroe.

Hon. John J. Pettus, Senator from the district composed of the counties of Neshoba and Kemper.

Hon. J. J. Monroe, Senator from the district composed of the counties of Newton and Lauderdale.

Hon. Simeon Oliver, Senator from the district composed of the counties of De Soto and Tunica.

Hon. H. T. Ellett, Senator from the district composed of the counties of Claiborne and Jefferson.

Hon. Robt. S. Greer, Senator from the district composed of the county of Marshall.

Hon. Joseph Koger, Senator from the district composed of the counties of Noxubee and Winston.

Hon. M. A. Banks, Senator from the district composed of the counties of Simpson and Copiah.

Hon. A. H. Arthur, Senator from the district composed of the county of Warren.

Hon. A. E. Reynolds, Senator from the district composed of the county of Tishemingo.

Hon. J. B. Cobb, Senator from the district composed of the county of Lowndes.

Hon. B. R. Webb, Senator from the district composed of the county of Pontotoc.

Hon. H. Allen, jr., Senator from the district composed of the counties of Calhoun and Yallobusha.

Hon. Joel H. Berry, Senator from the district composed of the county of Tippah.

Hon. James Drane, Senator from the district composed of the county of Choctaw.

Hon. A. H. Pegues, Senator from the district composed of the county of Lafayette.

Hon. Robert Graves, Senator from the district composed of the counties of Covington, Jones, Green and Wayne.

Hon. A. M. West, Senator from the district composed of the counties of Holmes and Sunflower.

All of which is respectfully submitted.

Mr. West introduced a bill of the following title :

A bill to be entitled an act to provide for the funeral expenses of the Hon. Edmund Smith ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

On motion of Mr. West, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act to amend an act passed March 5th, 1846, in relation to probating claims against the estates of deceased persons ;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Pegues introduced a bill of the following title :

A bill to be entitled an act to change the line between Lafayette and Marshall counties ;

Which was read the first time.

On motion of Mr. Pegues, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pegues, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Bennett introduced a memorial to the Congress of the U. S. in relation to pensions ;

Which was read the first time.

On motion of Mr. Bennett, the rule was further suspended, and the memorial read the second time.

Mr. Alcorn moved to amend, by the following proviso :

“Provided, that in all cases the proper State shall furnish cash for the support of its own invalids.”

Mr. Webb moved to lay the memorial and amendment on the table ; which motion was carried.

Mr. Arthur presented the claims of Messrs. Muse, French, Echols, and Downing, of Jackson ; which was referred to the committee on Claims.

The Senate then proceeded to the consideration of the orders of the day—a bill to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad.

Mr. West offered the following amendment to the amendment :

“Provided, that it shall be understood to give the free transportation only over such road, or part of a road, as may have been built exclusively by said internal improvement fund.”

Pending the discussion,

The Senate adjourned until 3 o'clock, this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met, and resumed the consideration of the orders of the day—the bill to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad.

Mr. Koger moved to lay the amendment offered by Mr. West, on the table ; which was decided in the affirmative, by ayes and noes as follows :

AYES—Messrs. Alcorn, Allen, Beene, Bennett, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Nelson, Oliver, and Steele—14.

NAYS—Mr. President, Messrs. Arthur, Berry, Drane, Greer, McWillie, Stuart, West, and Webb—9.

Mr. West offered the following amendment to the amendment :

Provided, that nothing herein shall be so construed as to require the company accepting the investment provided for in the — section of this, act to transport, at their own expense, for the government of the United States, the mails thereof. The right being secured to the government of the United States being this, and this only : That the road here provided for, shall be free for the passage of any cars of the United States government, freighted with her mails or munitions of war, free from the charge of said company in the way of toll. The State here binding herself in the amount of her stock to be invested, that she will indemnify said company for any loss which may occur to said road by reason of this proviso.

Mr. Koger moved to lay the amendment on the table ; which was decided in the affirmative, by ayes and noes, as follows :

YEAS—Messrs. Allen, Beene, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, Reynolds, Steele, and Stuart—14.

NAYS—Mr. President, Messrs. Acker, Alcorn, Adams, Berry, Drane, Greer, McWillie, Nelson, Pope, Pegues, West, and Webb—13.

Mr. Berry moved to lay the amendment of Mr. Ellett on the table ; which was decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Adams, Acker, Berry, Drane, Greer, McWillie, Nelson, Pope, Pegues, Stuart, West and Webb—13.

NAYS—Mr. President, Messrs. Alcorn, Allen, Beene, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, Reynolds, and Steele—15.

Mr. Adams offered the following amendment to the amendment :

“Provided, that in estimating the said right of transportation, the value or cost of the whole extent of said railroad shall be estimated ; and the amount received from said internal improvement lands ascertained, and the right and freedom of transportation of the United States mails, troops, &c., shall be only in proportion to the amount received from said internal improvement fund ; the balance or residue of the value of said transportation to be paid for by the United States government, as to other similar roads, or under such contract as may be made between the government and the said railroad companies.

Pending the discussion,

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to amend an act to incorporate the Mississippi Manufacturing Company, approved March 11, 1852.

An act to amend an act to authorize and regulate county subscription for railroad stock, approved Oct. 21, 1852.

An act for the relief and benefit of the widow and heirs of John A. Hairston, deceased.

An act for the relief of Mrs. Elizabeth A. Strong.

An act to prescribe the time of holding the Probate Court of Chickasaw county.

An act to amend the 2d section of an act entitled an act to prevent the importation and spreading of the Small Pox, and other contagious diseases, passed June 10, 1822.

An act to incorporate the Hill City Collegiate Institute.

An act to repeal an act providing for the application of the

common school fund in the county of Warren, approved March 3d, 1848.

An act to change the name of James R. Pigg, of Leake county.

An act to amend an act to incorporate the Constitution Fire Engine Company No. 1, of the City of Vicksburg, approved Feb. 18, 1846.

An act supplemental to an act entitled an act to provide for the more prompt payment of the fees of witnesses summoned on behalf of the State, approved March 16, 1852.

The Senate again resumed the consideration of the order of the day.

Pending the discussion,

The Senate took a recess until seven o'clock this evening.

EVENING SESSION, 7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

No quorum being present, Mr. Alcorn moved that the Senate stand adjourned until Monday morning, 10 o'clock.

Which motion was lost.

A call of the Senate was then moved—the Sergeant-at-Arms sent for the absentees.

Upon motion of Mr. Oliver, the further call of the Senate was dispensed with, a quorum having been obtained.

By the general consent of the Senate, Mr. Webb called up the bill to be entitled an act to amend the law in relation to garnishments and attachments.

On motion of Mr. Webb, the bill was re-committed to the committee on the Judiciary.

The Senate resumed the consideration of the local business of the Senate, by calling the alphabetical list of counties.

The county of Hinds being called,

Mr. Adams called up House bill entitled—

An act for the relief of Mariamne Hutchinson ;

Which bill was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the same rule was further suspended, and the bill read the third time, and passed.

Ordered, That the title of the bill stand as stated.

Mr. Adams called up House bill entitled

An act to change the name of Francis Elizabeth Jane Warrick to that of Francis Elizabeth Hatch.

On motion of Mr. Adams, the bill was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time by title.

Mr. Alcorn offered an amendment to the bill, making its provisions apply also to Francis Rebecca Fish, of Coahoma county, changing her name to that of Francis Rebecca North;

Which amendment was adopted.

On motion of Mr. Adams, the rule requiring bills to be read on three several days was further suspended, and the bill read the third time and passed.

Ordered, that the title of the bill be amended, by adding thereto, as follows:

“And the name of Francis Rebecca Fish, of Coahoma county, to that of Francis Rebecca North.”

Mr. Adams called up the bill originating in the House, of the following title:

A bill to be entitled an act to authorize the mayor and aldermen of the City of Jackson, to increase the rate of taxation on real estate, in said city, and for other purposes.

The bill was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was dispensed with, and the bill read the second time by title.

Mr. Adams offered a substitute for the bill, which was adopted in lieu thereof.

On motion of Mr. Adams, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title of the bill stand as amended.

Mr. Adams called up House bill to be entitled

An act for the benefit of Robert Shurles, of Hind county.

The bill was read the first time.

On motion of Mr. Adams, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

Mr. Adams called up the resolution originating in the Senate, in relation to the occupancy of room No. 5, in the State Capitol, by the Register of the United States land office, in the City of Jackson.

Mr. Acker offered the following amendment to the resolution:

“Provided, the officer who is to be benefited by this resolution, shall pay into the State Treasury any sum which he may receive from the United States for office rent.”

Which amendment was adopted.

Mr. Berry moved that the vote adopting the amendment to the resolution offered by Mr. Acker, be re-considered;

Which motion was carried.

The resolution was then adopted.

Mr. West called up House bill to be entitled

An act to incorporate the Central Mississippi Female College, in the town of Lexington; in Holmes county.

The bill was read the first time.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

On motion of Mr. West, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. West called up House bill to be entitled

An act to incorporate the Lexington and Yazoo Valley Plank Road Company.

On motion of Mr. West, the rule requiring bills to be read on three several days, was suspended, and the bill read the second time.

Mr. West offered the following amendment:

Amend, by striking out the word "Lexington," in the title of the bill incorporating the Lexington and Yazoo Valley Plankroad Company. Also, strike out the same word whenever it may appear in the body of the said bill, and insert in lieu thereof, the word "Acona." Amend, also, by inserting in the bill, after the name "Francis M. Wyatt," that of Jason L. Jordon, John H. Blake and William Reed.

On motion of Mr. West, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as amended.

Mr. West called up House bill of the following title:

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Lexington, in the county of Holmes;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

Mr. West moved to amend, by an additional section, which was adopted.

The bill was then read the third time and passed as amended.

Ordered, That the title thereof stand as stated.

Mr. West called up House bill of the following title:

A bill to be entitled an act for the relief of Jefferson L. Wofford, of Holmes county;

Which was read the first time.

Mr. West called up House bill of the following title:

A bill to be entitled an act for the relief of Wm. Thomas and Jackson Pitchford, executors of Augustus Pitchford, late of Holmes county;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

On motion of Mr. West, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated,

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act for the improvement of the navigation of Little Deer Creek, in Issaquena county ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill of the following title :

A bill to be entitled an act to revive and continue in force an act to provide for the erection, repair, and preservation of levees on the Mississippi river, in the county of Issaquena, approved February 20, 1850.

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time by title.

Mr. Johnston offered an amendment thereto ; which was adopted.

Mr. Johnston moved to amend, by an additional section ; which was adopted.

The bill was then read the third time, and passed, as amended.

Ordered, That the title thereof stand as stated.

On motion of Mr. McWillie,

The Senate adjourned until 10 o'clock Monday morning.

MONDAY, FEBRUARY 20, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by Rev. Mr. Russell.

The Journal of Saturday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT.—The House of Representatives have passed Senate bills of the following titles :

An act to reduce the fees of the Sheriff and Probate Clerk of Leake and Attala county, and for other purposes.

An act further to amend an act entitled an act to change the forms of pleading in the Circuit Courts of this State.

An act to extend an act, approved March 9th, 1850, in reference to writs of error and supersedeas.

An act to incorporate the Southern Air Line Extension Rail Road Company.

An act to incorporate the Port Gibson and Homochitto Plank Road Company.

An act to incorporate Ellisville Lodge, No. 161, of Free and Accepted Masons, and for other purposes ;

An act to repeal an act entitled an act to provide for compensation for destruction, loss or damage, of persons or property, by car or rail road machinery, in this State, approved March 16th, 1852.

An act in relation to acknowledgments of deeds taken before members of the Board of Police, and to provide for the cancelling of satisfied mortgages and deeds of trust.

An act for the relief of Wilmarth College, of the City of Natchez.

An act granting the right of way through the State of Mississippi, and other privileges, to the St. Louis, Helena and New Orleans Rail Road.

An act to repeal all laws exempting school trustees in the county of Claiborne from serving as jurors.

An act to provide for the funeral expenses of Hon. Edmund Smith, deceased ;

Which are herewith returned to the Senate.

The House of Representatives have passed Senate bills of the following titles :

An act to authorize the printing of the first annual report of the Agricultural and Geological survey of the State.

An act to change the time of holding the Courts of Leake and Atalla counties;

And have made amendments thereto;

In which the concurrence of the Senate is desired.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to change the time of holding the Vice-Chancery Court, for the Southern District, held at Paulding.

A bill to be entitled an act in relation to landlord and tenant in the City of Vicksburg and county of Warren, and for other purposes ;

In which the concurrence of the Senate is desired.

The House bill entitled an act for the relief of William Burks, of Chickasaw county,

Is herewith returned to the Senate.

The Speaker of the House of Representatives has signed—

An act to authorize a compilation of criminal law;

Which is herewith presented to the Senate, for the signature of the President.

The House of Representatives have adopted the joint resolution of the Senate in relation to the Hon. Edmund Smith, deceased.

Also, the memorial to the Congress of the United States, asking for a grant of land to aid in the construction of the Gulf and Ship Island Rail Road;

And have made amendments thereto ;

In which the concurrence of the Senate is desired.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to authorize the President and Selectmen of the town of Shieldsborough, to raise a special tax on the real estate within said town.

An act to incorporate Bay St. Louis Lodge, No 147, of Ancient Free and Accepted Masons, and for other purposes.

An act to change the name of Harriet M. Parker, to Harriet M. Sheriff, and for other purposes.

An act to amend an act entitled an act for the relief of Benjamin Franklin Allen.

An act granting a charter to John Byram to build a bridge across Pearl river.

An act to incorporate the Central Female Institute, at Clinton, Hinds county.

An act to authorize the Assessor and Tax Collector of Covington county to reassess the taxes for said county, and collect the same for the year 1853.

An act to amend an act entitled an act to amend an act to incorporate the town of Union, in the county of Coahoma, approved Oct. 16, 1852.

An act for the relief of the Hon. Geo. K. Morton, Judge of the Probate Court of Coahoma county.

An act to incorporate the Olive Branch and Cockrum Plank Road Company.

An act to incorporate Alpha Circle, No. 1, of Social Circles.

An act to change the name of Epha Deallman, and for other purposes.

An act to change the name of George Toby, to George Toby Howard, and for other purposes.

An act to change the time of holding the Circuit Court in the county of Harrison.

An act to amend an act to incorporate the town of Liberty, in Amite county.

An act to incorporate the first Encampment of the order of Good Fellows at Biloxi, Harrison county.

An act to establish a system of common schools in the county of Hancock.

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to a Stage route;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to authorize the Board of School Commissioners of the county of Lauderdale, to sell the school lands in said county.

A bill to be entitled an act for the relief of Stephen Fatheree.

On motion of Mr. West, leave of absence was granted to the Door-Keeper of the Senate.

On motion of Mr. West, the Senate took up the resolution of the Senate in relation to the Hon. Edmund Smith.

On motion of Mr. West, the amendment made by the House of Representatives to the resolution, was concurred in.

The President presented the account of J. T. Simms, which was referred to the committee on Claims.

On motion of Mr. Pettus, 300 additional copies of the report of the Trustees of the Blind Asylum was ordered to be printed.

Mr. Ellett presented the claim of A. H. Bobo, sheriff of Claiborne county,

Which was referred to the committee on Claims.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his signature and approval, bills of the following titles, to-wit :

An act for the relief and benefit of the widow and heirs of John A. Hairston, deceased.

An act for the relief of Mrs. Elizabeth A. Long.

An act to repeal an act providing for the application of the common school fund in the county of Marion, approved March 3rd, 1848.

An act to secure and establish a ferry across the Mississippi river at Vicksburg.

An act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower ;

An act to incorporate the Hill City Collegiate Institute.

An act to change the name of James R. Pigg, of Leake county.

An act to amend an act to incorporate the Constitution Fire Engine Company, No. 1, of the City of Vicksburg, approved February 22d, 1840 ;

An act to amend an act entitled an act to incorporate the Trustees of Zion Seminary, in the county of Covington, approved February 11th, 1846.

An act supplemental to an act entitled an act to provide for the more prompt payment of the fees of witnesses summoned on behalf of the State, approved March 16th, 1852.

An act to amend an act to authorize and regulate county subscriptions for Rail Road stock, approved October 21st, 1852.

An act to legalize the return of delinquent lists of Amite county.

An act to amend an act entitled an act to amend an act reducing the fees of certain offices therein named, approved Feb. 10, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Green, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson, and Rankin, approved February, 26, 1846.

An act further to amend the charter of Jefferson College.

An act to incorporate the Mississippi Manufacturing Company, approved March 11th, 1852.

An act to lay off the State of Mississippi into five Congressional Districts, and for other purposes.

An act for the relief of James N. McLean and Jesse B. Walton, of Holmes county.

A memorial to the Congress of the United States, for lands to aid in the construction of the Amite County Railroad.

An an to amend the charter of Jefferson College.

An act to amend the 2nd section of an act entitled an act to prevent the importation and spreading of the small pox and other contagious diseases, passed June 16th, 1822.

An act to incorporate the St. Mary's Orphan Asylum, a charitable and educational institution, in the City of Natchez.

An act to amend an act entitled an act to provide for the leveeing of the Mississippi river, in the county of Bolivar, approved Feb. 1, 1850.

An act for the relief of Samuel Hale, of Chickasaw county.

act to prescribe the time of holding the Probate Court of Chickasaw county.

An act for the relief of Parthena E. Wheeler and her children.

An act for the relief of A. B. Robinson.

They have also examined bills of the following titles, to-wit :

An act to establish a system of common schools in the county of Hancock.

An act to change the name of Ephra Dealman, and for other purposes.

An act to incorporate Alpha Circle, No. 1, of Social Circles.

An act to incorporate the Olive Branch and Cockrum Plank Road Company.

An act for the relief of the Hon. Geo. K. Morton, Judge of the Probate Court of Coahoma county.

An act to incorporate the first encampment of the Order of Good Fellows, at Biloxi, Harrison county.

Memorial of the Legislature of the State of Mississippi to the Congress of the United States, in relation to a Stage route.

An act to amend an act entitled an act to amend an act to incorporate the town of Union, in the county of Coahoma, approved October 16th, 1852.

An act to authorize the Assessor and Tax Collector of Covington county to re-assess the taxes for said county, and collect the same for the year 1853.

An act to incorporate the Central Female Institute, at Clinton, Hinds county.

An act granting a charter to John Byram to build a bridge across Pearl river.

An act to amend an act entitled an act for the relief of Benjamin Franklin Allen.

An act to change the name of Harriet M. Parker, to Harriett M. Sheriff, and for other purposes.

An act to incorporate the Bay St. Louis Lodge, No. 147, of Ancient Free and Accepted Masons, and for other purposes.

An act to authorize the President and Selectmen of the town of Shieldsborough to raise a special tax on the real estate within said town.

An act to change the time of holding the Circuit Court in the county of Harrison.

An act to amend an act to incorporate the town of Liberty in the county of Amite, and State of Mississippi.

An act to change the name of George Toby, to George Toby Howard, and for other purposes;

And have found the same correctly enrolled.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—The committee on Engrossed Bills have this day examined a bill to be entitled an act to amend an act granting the right of way through the State of Mississippi, and other privileges to the New Orleans, Jackson and Great Northern Rail Road Company, approved March 11th, 1852;

And have found the same correctly engrossed.

Mr. Greer introduced the following resolution, which was adopted :

Resolved, That the President of the Senate appoint a Door-Keeper, pro tempore, to serve during the sickness of W. B. Cavanah.

The President appointed Oscar Meek, of Jackson, as Door-Keeper, pro. tem.

Mr. Oliver introduced a bill of the following title :

A bill to be entitled an act to quiet titles to land purchased under tax sales, and for other purposes;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Johnston introduced a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to provide for the leveeing the Mississippi river, in the county of Bolivar, approved February 11th, 1850;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Johnston, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams introduced a bill of the following title :

A bill to be entitled an act for the relief of James T. Rucks;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Hough introduced a bill of the following title :

A bill to be entitled an act to require securities for costs in certain cases, and for other purposes ;

Which was read the first time.

On motion of Mr. Hough, the rule was suspended, and the bill read the second time by title, and referred to the Judiciary committee.

Mr. Monroe introduced a bill of the following title :

A bill to be entitled an act to grant pre-emption rights to actual settlers on certain lands, in the State of Mississippi;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Monroe, Cobb and Koger.

Mr. Ellett introduced a bill of the following title :

A bill to be entitled an act supplementary to an act entitled an act to regulate the granting of license to retail vinous and spirituous liquors;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title, and referred to the committee on Temperance.

Mr. Ramsay introduced a bill of the following title :

A bill to be entitled an act supplementary to an act entitled an act to prevent the destruction of oysters in the waters of this State;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to pay jurors on inquests, and the trials of forcible entry and unlawful detainer.

A bill to be entitled an act to provide for a new code of laws for the State of Mississippi, and for other purposes ;

In which the concurrence of the Senate is desired.

The Speaker of the House has signed—

An act to provide for the funeral expenses of the Hon. Edmund Smith;

Which is herewith presented to the Senate for the signature of the President.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined a bill of the following title, to-wit :

A bill to be entitled an act to provide for the funeral expenses of Hon. Edmund Smith ;

And have found the same correctly enrolled.

Mr. Oliver introduced the following resolution, which was adopted :

Resolved by the Senate, (the House of Representatives concurring,) That the proper officers be and they are hereby authorized to correct an error in a patent issued through mistake to John Morris, instead of John Morrison, of Memphis, Tenn., for three thousand and thirty-eight and 29.100 acres of land, dated twenty-third day of May, one thousand eight hundred and fifty-three, upon receiving satisfactory testimony that such error has been committed.

Mr. Reynolds introduced a bill of the following title :

A bill to be entitled an act to repeal an act entitled an act to secure the collection of taxes on delinquent lands, approved March 9th, 1850, and the act amendatory thereof, approved March 16th, 1852, and for other purposes ;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

Mr. Adams moved to refer the bill to the Judiciary committee;

Which was lost.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT.—The House of Representatives have passed a bill to be entitled—

An act to provide for the payment of Justices of the Peace and Constables, in certain cases ;

In which the concurrence of the Senate is desired.

The Speaker of the House of Representatives has signed—

A resolution in relation to the Hon. Edmund Smith, dec'd.

Which are herewith presented to the Senate for the signature of the President.

Mr. Reynolds introduced a bill of the following title :

A bill to be entitled an act enabling editors and publishers of newspapers the more readily to collect their dues ;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

Mr. Adams moved to amend the bill by an additional section ;

Which was adopted.

Mr. Cobb moved to indefinitely postpone the consideration of the bill, which was decided in the affirmative, by ayes and noes as follows :

AYES.—Mr. President, and Messrs. Adams, Acker, Beene, Bennett, Berry, Cobb, Drane, Ellett, Greer, Graves, Hough, Johnston, Monroe, Nelson, Oliver, Pope, Ramsay and Webb—19.

NAYS.—Messrs. Alcorn, Arthur, Koger, McWillie, Pegues, Reynolds, Stuart and West—8.

On motion of Mr. Ellett,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Acker introduced a bill of the following title :

A bill to be entitled an act to establish a Vice-Chancery Court at Aberdeen;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

Mr. Acker offered to amend by inserting the following :

After the word counties, in 9th line, "and where the defendants reside in either of said counties.

The bill was then read the third time and passed, as amended, by ayes and noes, as follows :

AYES.—Messrs. Adams, Acker, Arthur, Allen, Bennett, Banks, Berry, Graves, Hough, Johnston, McWillie, Monroe, Nelson, Reynolds, Stuart, Steele and West—17.

NAYS.—Mr. President, and Messrs. Beene, Greer, Koger, Oliver, Pegues and Webb—7.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution :

Resolved, (the Senate concurring,) That the State Librarian be

and he is hereby requested to have the State Capitol illuminated on the night of the 22nd of February inst. ;

In which the concurrence of the Senate is desired.

Mr. Bennett introduced a bill of the following title :

A bill to be entitled an act supplemental to an act entitled an act to lay off the State of Mississippi into five Congressional Districts, and for other purposes, approved February 18th, 1854;

Which was read the first time.

The President declared the bill to be out of order:

An appeal was taken from the decision of the Chair.

Pending the discussion,

On motion of Mr. Bennett, the further consideration of the subject was postponed until to-morrow, at 11 o'clock.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell:

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to regulate proceedings against Foreign Insurance Companies.

A bill to be entitled an act authorizing the Clerks of the Circuit and Probate Courts of this State to administer oaths;

In which the concurrence of the Senate is desired.

The House of Representatives have concurred in the joint resolution of the Senate, in relation to John Morrison ;

Which is herewith returned to the Senate.

On motion of Mr. Cobb, the vote taken on Saturday, upon the resolution in relation to forming two new counties, was reconsidered.

Mr. Koger called up Senate bill of the following title :

A bill to be entitled an act to amend the Constitution of the State of Mississippi ;

Which was read the second time.

Mr. McWillie offered the following amendment :

Strike out the word "biennially," in the 8th line of printed bill, and insert "annually;"

Which was decided in the negative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Acker, Allen, Drane, McWillie, Pegues, Reynolds and West—8.

NAYS.—Messrs. Adams, Alcorn, Arthur, Beene, Banks, Berry, Greer, Graves, Hough, Johnston, Koger, Monroe, Nelson, Oliver, Ramsay, Steele, Stuart and Webb—18.

On motion of Mr. West, the rule was suspended, the bill read the third time and passed, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Allen, Beene, Banks, Berry, Drane, Greer, Graves, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Reynolds, Steele, Stuart, West and Webb—24.

NAYS.—Messrs. Adams, Acker and Ramsay—3.

On motion of Mr. Koger, the bill was made the special order for each day, for the passage of the same.

Mr. Alcorn called up Senate bill of the following title :

A bill to be entitled an act to amend the Constitution of the State of Mississippi, in relation to the Chancery Courts;

Which was read the second time and passed, by ayes and noes as follows :

AYES.—Mr. President, and Messrs. Alcorn, Arthur, Beene, Banks, Berry, Drane, Ellett, Graves, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Reynolds, Stuart, West and Webb—20.

NAYS.—Messrs. Adams, Acker, Allen, Cobb, Greer, Johnston, Ramsay and Steele—8.

Mr. Acker called up Senate bill of the following title :

A bill to be entitled an act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson, and Great Northern Rail Road Company, approved 11th March, 1852;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur presented the claim of James A. Horne, which was referred to the committee on Claims.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined a resolution in relation to the Hon. Edmund Smith, and have found the same correctly enrolled.

They have also presented to his Excellency, the Governor, for his signature and approval—

An act to incorporate the Central Female Institute, at Clinton, Hinds county.

Memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to a Stage route.

An act to amend an act entitled an act to incorporate the town of Union, in the county of Coahoma, approved Oct. 16th, 1852.

An act to authorize the Assessor and Tax Collector of Covington county to reassess the taxes for said county, and collect the same for the year 1853.

An act for the relief of the Hon. Geo. K. Morton, Judge of the Probate Court of Coahoma county.

Resolution in relation to Hon. Edmund Smith.

An act to change the name of George Toby to that of George Toby Howard, and for other purposes.

An act to incorporate the Bay St. Louis Lodge, No. 147, of Ancient Free and Accepted Masons, and for other purposes.

An act to amend an act entitled an act for the relief of Benjamin Franklin Allen.

An act to change the name of Harriet M. Parker, to Harriett M. Sheriff, and for other purposes.

An act to incorporate the first Encampment of the order of Good Fellows, at Biloxi, Harrison county.

An act granting a charter to John Byram, to build a bridge across Pearl river.

An act to authorize the President and Selectmen of the town of Shieldsborough, to raise a special tax on the real estate within said town.

An act to change the time of holding the Circuit Court in the county of Harrison.

An act to amend an act to incorporate the town of Liberty, in the county of Amite, and State of Mississippi.

An act to establish a system of common schools in the county of Hancock.

An act to change the name of Epha Deallman, and for other purposes;

An act to provide for the funeral expenses of Hon. Edmund Smith.

An act to incorporate Alpha Circle, No. 1, of Social Circles.

An act to incorporate the Olive Branch and Cockrum Plank Road Company.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to compel parties interested to testify in certain cases.

A bill to be entitled an act to change the mode of practice in cases of foreign attachments in Chancery;

In which the concurrence of the Senate is desired.

On motion of Mr. Greer,

The Senate took a recess until this evening at 7 o'clock, p. m.

AFTERNOON SESSION—7 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Ramsay called up House bill of the following title:

A bill to be entitled an act to declare Escataupa river a navigable stream;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Hough called up House bill of the following title :

A bill to be entitled an act to change the time of holding the Vice-Chancery Court for the Southern District, held at Paulding;

Which was read the first time.

On motion of Mr. Hough, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Hough called up House bill of the following title :

A bill to be entitled an act to alter and amend an act entitled an act to incorporate the Enterprise Bridge Company, in the county of Clarke, approved March 4, 1850;

Which was read the first time.

On motion of Mr. Hough, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Hough called up House bill of the following title :

A bill to be entitled an act to amend an act entitled an act to incorporate the Quitman Bridge Company, in the county of Clarke, approved October 16, 1852 ;

Which was read the first time.

On motion of Mr. Hough, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Hough called up House bill of the following title :

A bill to be entitled an act to revive the incorporation of the town of Quitman ;

Which was read the first time.

On motion of Mr. Hough, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Hough, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up Senate bill of the following title :

A bill to be entitled an act to amend the laws in relation to Probate Courts, so far as regards the counties of Claiborne and Jefferson.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to provide for bridging the various streams of the county of Jefferson, and for other purposes;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up House bill of the following title :

A bill to be entitled an act to regulate the working of public roads, and repairing of bridges, in the counties of Claiborne, Jefferson, Franklin, Warren and Wilkinson ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

Mr. Ellett offered the following amendment,

Which was adopted :

Amend the first section by inserting the word "and," after the word "Jefferson." in the fourth line, and by striking out the words "Franklin and Wilkinson."

Mr. Ellett moved to amend by striking out the fifteenth section ;

Which was adopted.

The bill was then read the third time and passed.

Mr. Ellett moved to amend the title by striking out the words "Franklin and Wilkinson," and inserting the word "and" after the word "Jefferson."

Ordered, that the title as amended stand as stated.

Mr. Banks called up House bill of the following title :

A bill to be entitled an act for the relief of Jacob K. Hill ;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Banks, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Graves called up House bill of the following title :

A bill to be entitled an act to authorize the Board of Police of Jones county to close and sell, for the use of the county, certain streets in the town of Ellisville ;

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill of the following title :

A bill to be entitled an act authorizing the drawing of a special jury for the September term of the Circuit Court of the county of Kemper, for the year 1854 ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill of the following title :

A bill to be entitled an act to legalize the assessment roll of Kemper county ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill of the following title :

A bill to be entitled an act making provisions for cases where no executors or administrators will qualify under a last will and testament, and undertake to carry into effect, so far as the county of Kemper is concerned ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title. @

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Monroe called up House bill of the following title :

A bill to be entitled an act to authorize the Board of School Commissioners of the county of Lauderdale to sell the school lands in said county, and for other purposes;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Monroe, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Drane called up Senate bill of the following title :

A bill to be entitled an act to change the time of holding the Courts of Leake and Attala counties.

The amendment made by the House was concurred in.

Mr. Drane introduced a bill of the following title :

A bill to be entitled an act to change the time of holding the Probate Court of Leake county;

Which was read the first time.

On motion of Mr. Drane, the rule was suspended, the bill read the second time by title.

On motion of Mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Drane introduced a bill of the following title :

A bill to be entitled an act to increase the per diem pay of the members of the Board of Police, of Attala county ;

Which was read the first time.

On motion of mr. Drane, the rule was suspended, and the bill read the second time by title.

On motion of mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pegues introduced a bill of the following title :

A bill to be entitled an act to extend the provisions of an act to incorporate the town of Oxford ;

Which was read the first time.

On motion of mr. Pegues, the rule was suspended, and the bill read the second time by title.

On motion of mr. Pegues, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Pegues called up House bill of the following title :

A bill to be entitled an act to incorporate the town of Paris in the county of Lafayettee;

Which was read the first time.

On motion of mr. Pegues, the rule was suspended, and the bill read the second time by title.

On motion of mr. Pegues, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Cobb introduced a bill of the following title :

A bill to be entitled an act to amend an act approved 20th October, 1852, in relation to the Treasurer of Lowndes county ;

Which was read the first time.

On motion of mr. Cobb, the rule was suspended, and the bill read the second time by title.

On motion of mr. Cobb, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to amend the charter of Jefferson College ;

In which the concurrence of the Senate is desired.

Mr. Cobb called up House bill of the following title :

A bill to be entitled an act to amend an act to extend the corporate limits of the town of Columbus, approved February 27 1826 ;

Which was read the first time.

On motion of mr. Cobb, the rule was suspended, and the bill read the second time by title.

On motion of mr. Cobb, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Cobb called up House bill of the following title :

A bill to be entitled an act to incorporate the town of Barton, in the county of Lowndes;

Which was read the first time.

On motion of mr. Cobb, the rule was suspended; and the bill read the second time by title.

Mr. Cobb moved to amend as follows :

Amend by striking out the word "one," in section —, and insert the word "two ;"

Which was adopted.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. Cobb called up House bill of the following title :

A bill to be entitled an act to amend an act entitled an act to reduce the fees of certain officers therein named, approved February 10, 1844, so far as relates to the county of Lowndes ;

Which was read the first time.

On motion of Mr. Cobb, the rule was suspended, and the bill read the second time by title.

On motion of mr. Cobb, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Cobb called up House bill of the following title :

A bill to be entitled an act to incorporate the Lowndes Dragoons, a volunteer company, in the town of Columbus ;

Which was read the first time.

On motion of mr. Cobb, the rule was suspended, and bill read the second time by title.

On motion of mr. Cobb, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the joint resolution of the Senate, in relation to Jefferson College ;

Also, in the joint resolution of the Senate, in relation to room No. 5, in the State Capitol.

Also, in the amendment made by the Senate to the amendment made by the House to the Senate bill, entitled an act for the relief of the next of kin of Martin J. Malloy deceased;

Which are herewith returned to the Senate.

On motion of Mr. Johnston,

The Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 21, 1854.

The Senate met pursuant to adjournment,
And was opened with prayer by the Rev. Mr. Elliott.

The journal of yesterday was read.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have adopted the following resolution :

Resolved, (the Senate concurring,) That a joint select committee, consisting of five on the part of the House, and — on the part of the Senate, be appointed, whose duty it shall be forthwith to select from the calendar and special orders of the day, such bills as they deem most important, for immediate action, and report them to the Senate and House, respectively ; and when reported, they be taken up and disposed of in the order as they stand upon the catalogue.

In which the concurrence of the Senate is desired.

The committee on the part of the House, are Messrs. Barksdale, Rozell, Bass, Monet, and Hight.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to amend an act to promote common schools in the several counties in this State, so far as relates to county of Calhoun.

A bill to be entitled an act to extend the time of returning executions, in the county of Choctaw, and for other purposes.

A bill to be entitled an act to amend an act to authorize the Board of Selectmen of the town of Kosciusko, in the county of Attala, to impose a tax upon all retailers of vinous or spiritous liquors, within the corporate limits of the said town.

In which the concurrence of the Senate is desired.

The following message was received from the House of Representatives :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act for the relief of N. R. Sledge and W. D. Sledge.

In which the concurrence of the Senate is desired.

The Speaker of the House of Representatives has signed sundry enrolled bills,

Which are herewith presented to the Senate for the signature of the President.

The Senate proceeded to the consideration of a bill to be entitled—

An act to amend the Constitution of the State of Mississippi.

The said bill was read the second time, and the ayes and noes taken thereon, which resulted as follows :

AYES—Mr. President, Messrs. Alcorn, Arthur, Allen, Beene, Bennett, Banks Berry, Drane, Greer, Graves, Hemingway, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Reynolds, Steele, Stuart, West, and Webb—26.

NAYS—Messrs. Adams, Acker, and Ramsay—3.

On motion of Mr. Alcorn, the Senate proceeded to the consideration of a bill entitled,

An act to amend the Constitution of the State of Mississippi, in relation to the Chancery Courts.

The bill was read the third time, and the ayes and noes taken thereon, as follows :

YEAS—Mr. President, Messrs. Alcorn, Arthur, Allen, Bennett, Beene, Banks, Berry, Drane, Graves, Hemingway, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Pegues, Reynolds, Stuart, and Webb—23.

NAYS—Messrs. Adams, Acker, Cobb, Greer, Johnston, Ramsay, Steele, and West—7.

Mr. Cobb presented petitions from the town of Columbus, upon the subject of temperance ; which were referred to the committee on Propositions and Grievances.

Mr. Adams presented a petition on the subject of temperance ; which, on motion of Mr. Beene, was laid on the table.

On motion of Mr. Webb, the Senate concurred in the resolution from the House of Representatives, in regard to illuminating the Capitol on the 22d inst.

On motion of Mr. Ellett, the Senate proceeded to the consideration of

A bill to be entitled an act regulating the trial of slaves in this State, the punishment of which is not capital.

The said bill was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time, and referred to the committee on the Judiciary.

Mr. Alcorn introduced a bill to be entitled

An act to authorize the North-east and South-west Alabama Railroad Company to extend their railroad from the west boundary line of the State of Alabama, to any point on the Mobile and Ohio Railroad, in the State of Mississippi.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second and third times, and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston moved a call of the Senate, which was ordered, and the absentees sent for.

On motion, the further call of the Senate was suspended.

On motion of Mr. Adams, the Senate proceeded to the consideration of a bill to be entitled

An act to aid in the construction of the New Orleans, Jackson,

and Great Northern Railroad, in the State of Mississippi, and for other purposes.

The question being upon the amendment to the amendment offered by Mr. Adams.

Mr. Adams moved the previous question, which was lost.

The question was then taken upon the amendment of Mr. Adams, and decided in the negative.

The yeas nays were ordered upon said amendment, and are as follows :

AYES—Mr. President, Messrs. Adams, Acker, Berry, Drane, Greer, McWillie, Nelson, Pope, Pegues, West, and Webb—12.

NAYS—Messrs. Alcorn, Arthur, Beene, Bennett, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, Steele, and Stuart—15.

Mr. Greer offered the following amendment to the amendment :

“And provided further, that in case the railroad companies above mentioned, shall decline to receive the internal improvement funds above mentioned, and any other railroad company shall receive any of said funds, then the above proviso shall apply to such company so receiving the said internal improvement funds, under the act passed in 1852, granting aid to railroad companies, approved March 16, 1852.”

The question being taken upon the adoption of the amendment of Mr. Greer, it was decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Adams, Acker, Arthur, Berry, Drane, Greer, Hemingway, McWillie, Nelson, Pegues, and West—11.

NAYS—Mr. President, Messrs. Alcorn, Allen, Bennett, Banks, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, Steele, and Stuart—16.

Mr. Adams offered the following amendment :

Amend by adding to amendment,

Provided, the State of Mississippi shall, in the event the U. S. government claim and exercise the right of transportation over either of said railroads, allow the profits and dividends on the stock secured under the provisions of this bill, to compensate, in part, said companies, for said transportation, and that after the said stock shall be owned and used and applied as herein provided, to other railroads, that the said right of freedom of transportation to the United States mails and troops shall cease and determine.

The question was taken on the adoption of the amendment, and decided in the negative, by ayes and noes, as follows :

YEAS—Mr. President, Messrs. Adams, Alcorn, Acker, Arthur, Berry, Drane, Greer, Hemingway, McWillie, Nelson, Pegues, and West—13.

NAYS—Messrs. Allen, Bennett, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, Steele, and Stuart—13.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to provide for the funeral expenses of Hon. Edmund Smith.

A resolution in relation to Hon. Edmund Smith.

An act to amend an act entitled an act to incorporate the Trustees of Zion Seminary, in the county of Covington, approved February 11, 1846.

An act to allow and confirm the emancipation of the woman slave Mary, and her children, according to the bequest and direction of the last will and testament of their former owner, the late Thomas Y. Grinstead, deceased, of Lawrence county, and to authorize Wm. M. Porter to emancipate the slaves herein named.

Pending the discussion,

On motion of Mr. Ellett,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met, and resumed the consideration of the bill to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad.

On motion of Mr. Greer, a call of the Senate was had, and the absentees sent for.

Pending the call of the Senate,

The following message was received from the House of Representatives by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors, approved Feb. 25, 1842.

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act to create in the University of Mississippi a professorship of governmental science and law.

Which is herewith returned to the Senate.

On motion of Mr. Koger, the further call of the Senate was suspended.

The question was taken upon the adoption of the amendment offered by Mr. Ellett, and decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Arthur, Allen, Beene, Bennett, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, and Steele—14.

NAYS—Mr. President, Messrs. Adams, Alcorn, Acker, Banks, Berry Drane, Greer, Hemingway, McWillie, Nelson, Pope, Pegues, Stuart, West, and Webb—16.

Mr. Ellett offered the following amendment:

Amend the 5th section, by striking out all after the enacting clause, and insert the following:

That the said internal improvement fund shall be used and applied in the manner directed by an act entitled an act to provide for taking stock for the State of Mississippi, in the various railroad companies in this State, approved March 16, 1852? Provided, that all incorporated railroad companies in this State, whose road shall not be more than ten nor less than five miles in length, shall be entitled to the benefit of the last mentioned act, when the entire line of their respective roads shall be graded, and have the wooden superstructure laid down: And, provided, also, that the fourth section of said act be, and the same is hereby repealed.

Pending the discussion,

The following message was received from the House of Representatives, through their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title:

A bill to be entitled an act to annex a part of Tallahatchie county to the county of Sunflower.

In which the concurrence of the Senate is desired.

Pending the further discussion,

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed

An act to incorporate the Lake Roebuck Navigation Company, in the county of Sunflower.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles:

An act for the improvement of the navigation of Little Deer Creek, in Issaquena county.

An act to incorporate the Central Mississippi Female College, in the town of Lexington, Holmes county.

An act for the relief of Williams Thomas, and Jackson Pitchford, executors of Augustus Pitchford, late of Holmes county.

An act for the benefit of Mariamne Hutchinson.

An act further to amend an act entitled an act to incorporate

the Mississippi Central Railroad Company, approved March 10th, 1852.

A resolution of the State of Mississippi, in relation to the Superintendent of the Blind Asylum.

A resolution in relation to the Press in the Auditor's office.

An act to incorporate the South-western Air Line Extension Railroad Company.

An act to incorporate the Ocean Springs, in Jackson county.

And have found the same correctly enrolled.

They have also presented to his Excellency the Governor, for his signature and approval,

An act to authorize the compilation of Criminal Law.

On motion of Mr. Greer,

The Senate took a recess until this evening at 7 o'clock.

EVENING SESSION, 7 O'CLOCK, P. M.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act to authorize and empower the Board of Police of Madison county to distribute the school funds, subject to distribution in the hands of the treasurer of said county ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act to authorize and require the Board of Police of Madison county to procure the field notes of the original survey of said county, and for other purposes ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act to amend the 7th section of act of 1842, in relation to free negroes and mulattces, so far as relates to the county of Madison ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McWillie, the rule was farther suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act to remove the civil disabilities of Christopher C. Coleman, and William S. Noble, minors, of Madison county ;

Which was read the first time and laid on the table.

Mr. McWillie called up House bill of the following title :

A bill to be entitled an act for the relief of William McBride, of the county of Madison ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer introduced a bill of the following title :

A bill to be entitled an act to extend the corporate limits of the town of Holly Springs ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer introduced a bill to be entitled

An act to amend an act entitled an act to incorporate the De Soto Pigeon Roost Plank Road Company, approved March 15th, 1852 ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer called up House bill to be entitled

An act to incorporate the Red Banks Female Seminary, and for other purposes ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended; the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer introduced a bill to be entitled

An act to incorporate the Byhalia Female Institute ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer introduced a bill to be entitled

An act to incorporate the Chulahoma and Byhalia Plank Road Company ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer called up House bill to be entitled

An act to incorporate the Holly Springs and Hickory Flat Plank or Turnpike Road Company—the Chulahoma and Holly Springs Plank or Turnpike Road Company, and the Holly Springs and Byhalia Plank or Turnpike Road Company ;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Webb, the bill was passed over until the county of Pontotoc is called.

Mr. Greer introduced a bill of the following title :

A bill to be entitled an act to prevent the selling of vinous or spiritous liquors, within certain localities, in the county of Marshall;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered. That the title thereof stand as stated.

Mr. Greer called up House bill to be entitled

An act to amend the laws in relation to the Board of Police and the working of roads in the counties of Wilkinson, Franklin, Hinds and Marshall.

Mr. Greer moved to amend the bill, by striking out "Marshall," in the first section and title.

The bill was then read the third time, and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Acker called up House bill to be entitled

An act to amend an act to provide for the selection and reclamation of all the swamp and overflowed lands in the counties of Lowndes and Monroe, and for other purposes, passed October 20, 1852 ;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Acker, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker introduced a bill to be entitled,

An act to amend an act entitled an act to provide for the selec-

tion and reclamation of all the swamp and overflowed lands in the counties of Hinds and Monroe, and for other purposes, approved March 20, 1852 ;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Acker, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker introduced a bill to be entitled

An act to change the Probate laws, so far as relates to the county of Monroe ;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Acker, the rule was further suspended, and the bill read a third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker introduced a bill to be entitled

An act to incorporate the Aberdeen Fire Company No. 1, in the City of Aberdeen ;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Acker, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker called up Senate bill of the following title :

A bill to be entitled an act to incorporate the Camargo Branch Railroad Company, and for other purposes ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Acker called up Senate bill to be entitled

An act to incorporate a manufacturing company, in the town of Camargo ;

Which was read the third time and passed.

Ordered, That the title of the bill stand as stated.

Mr. Acker called up House bill for the relief of Jonathan Smith, of Monroe county ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Ramsay, the vote taken upon the third reading of the bill, for the relief of William Burke, of Chickasaw county, was re-considered.

Mr. Acker moved to amend the bill, by striking out the county of Monroe, in the second section ;

Which was carried.

The bill was then read the third time, and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Acker called up House bill to be entitled

An act to amend and reduce into one, the act incorporating the town of Aberdeen, and the several acts amendatory thereto.

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, and the bill read the second time by title.

Mr. Acker moved to amend, by striking out in lines five and six, the words, "east half of section twenty-eight—the east half of section twenty-one;" and in the eighth and ninth lines, the words, "also the north-west quarter of section 2, township 15, range 7 east;"

Which was adopted.

Mr. Acker offered the following amendment,

Which was adopted:

Amend third page, by striking out 2d, 3d, and 4th lines, and insert, "who shall have resided in the State twelve months, and the said city four months."

The bill was read the third time and passed, as amended.

Ordered, That the title thereof stand as stated.

On motion of Mr. Greer,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, FEBRUARY 22, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by Rev. Mr. Russell.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have concurred in the amendment made by the Senate, to House bills of the following titles:

An act to regulate the working of public roads and repairing of bridges, in the counties of Claiborne, Jefferson, Franklin, Warren, and Wilkinson.

A bill to be entitled an act to authorize the mayor and aldermen of the City of Jackson, to increase the rate of taxation on real estate, in said city.

The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to incorporate the Raymond and Cooper's Well Plank Road Company, in the county of Hinds.

A bill to be entitled an act to amend an act entitled an act to establish a common school system in the town of Shieldsborough, in the county of Hancock, approved Feb. 5, 1852.

A bill to be entitled an act to authorize the legal voters of township 6, range 2 west, to elect five Trustees to take charge of the school fund belonging to said township.

A resolution granting leave of absence to Hon. John I. Guion, Judge of the 3d Judicial District, and D. C. Glenn, Attorney General of Mississippi.

A bill to be entitled an act to incorporate the Gulf and Ship Island Railroad Company.

In which the concurrence of the Senate is desired.

Mr. Berry, from the committee on Propositions and Grievances, asked and obtained leave to return a petition from sundry citizens of Lowndes county ;

Which was laid on the table.

The bill to amend the Constitution of the State of Mississippi, was taken up and read and passed, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Alcorn, Allen, Beene, Bennett, Berry, Cobb, Drane, Farrar, Greer, Graves, Hemingway, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pope, Reynolds, Stuart, West, and Webb—24.

NAYS—Messrs. Adams, Acker, Ramsay, and Steele—4.

Mr. Ramsay presented the petition of sundry citizens of Harrison county, which, with a bill for the relief of Kitty and John Curran, jr., was referred to the committee on Propositions and Grievances.

Mr. Acker, from the committee on Internal Improvements, made the following report, which was received and agreed to.

MR. PRESIDENT—The committee on Internal Improvement, to whom was referred a bill entitled an act to incorporate the New Orleans and New York Railroad Company, have had the same under consideration, and made the following amendments thereto, to-wit: by adding, after the name of Lewis Ragsdall, Jerry Brown, John E. Brown, I. S. O. G. Green, David M. Russell, and William M. Lewis, of Sumpter, Alabama; Edmund A. Durr, G. C. Chandler, and William S. Ragland, of Lauderdale county, Mississippi, and James J. Shannon, and E. C. Stewart, of Jasper, Mississippi, and inserting in the third line, "them," instead of "him;" and have instructed me to report said bill, as amended, back to the Senate, and recommend its passage, as amended.

The amendment made by the committee to the bill, was then adopted.

The rule was suspended, the bill read the third time.

Mr. Arthur offered to amend the bill, by an engrossed ryder; which was adopted.

The bill, as amended, was then passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT.—The House of Representatives have passed a bill of the following title:

A bill to be entitled an act to amend the several attachment laws of this State.

In which the concurrence of the Senate is desired.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to.

MR. PRESIDENT—The committee on the Judiciary have had under consideration, a bill to be entitled an act to amend an act passed March 5, 1846, in relation to probating claims, against the estates of deceased persons, and have adopted an amendment thereto, and have instructed me to report back said bill, and amendment, and recommend the passage thereof.

The amendment made to the bill, by the committee, was then adopted.

Mr. West offered the following amendment to the amendment:

That all costs of probating claims against the estate of deceased persons, shall be paid by the party in whose favor such claim may be; which was adopted.

The bill was then read the third time, and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Ellett moved that the Senate adjourn until to-morrow morning at 9 o'clock,

Which was decided in the affirmative, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Acker, Allen, Beene, Cobb, Ellett, Hemingway, McWillie, Monroe, Nelson, Oliver, Pope, Ramsay, and Stuart—15.

NAYS—Messrs. Adams, Arthur, Banks Bennett, Berry, Drane, Greer, Hough, Johnston, Koger, Pegues, West, and Webb—14.

The Senate adjourned till to-morrow morning 10 o'clock.

THURSDAY, FEBRUARY 23, 1854.

The Senate met pursuant to adjournment,

The President being absent,

On motion of Mr. Alcorn, Mr. Johnston was appointed President *pro tempore*.

The Journal of yesterday was read.

Mr. Ramsay, from the committee on Education, made the following report, which was received and agreed to:

MR. PRESIDENT—The committee on Education, who were in-

structed by a resolution of the Senate to "enquire into the expediency of compelling the School Commissioners of each county in this State, that have drawn moneys from the Treasury on account of the common school and three per cent. funds, to make a detailed account of the money received by them—the number of children at school—the number of schools in each county, and the amount of tuition actually paid out by them—and, on failure to do so, of requiring the Auditor to withhold his warrant on the Treasury until the provisions above mentioned shall be complied with"—have had the same under consideration, and have instructed me to report :

That, in their opinion, it would be impracticable for the Legislature to adopt or mature any well arranged improvements in our present system of primary instruction, without the information in detail proposed by the resolution submitted. Nevertheless, they are of opinion that the 15th and 16th sections of the "act to establish a system of Common schools, and for other purposes," approved March 4th, 1846, if executed according to their plain import, "under the superintendence and direction of the Governor," would furnish all the means of information requisite for practical legislation.

The 15th section of that act requires the Boards of School Commissioners to "report semi-annually, in June and December, to the Secretary of State, the situation of schools and school funds, the number of scholars attending school, the number of teachers, the amount paid to teachers out of the 16th section fund, the school fund, and by private individuals, in their respective counties."

The 16th section requires the Secretary of State to register all such returns, and to furnish the Board of School Commissioners with copies of such abstracts—directing, at the same time, that this duty should be performed by that officer under the superintendence and direction of the Governor.

The 17th section provided a compensation to the Secretary for the performance of the services required—but this provision has been subsequently, your committee think, unwisely repealed. The repeal of the compensation appears to have been regarded as a dispensation with the duty : for they are not advised that any publication of the information directed has since been made, or whether the returns have been regularly made to the Secretary, conformably to law. In either event, your committee cannot concur in the expediency of cutting off the children of the counties from the benefits designed for them in the munificent grants of the means of instruction, provided by law, on account of the failures of those intrusted with their management to perform their duty. The punishment suggested in the latter clause of the resolution, would seem, to your committee, directed to the wrong quarter. The character of the publication required to be made by the Secretary of State, under the 16th section referred to, appears to your

committee to be too indefinite. It was probably designed, chiefly, to enable the Legislature to act intelligently in the discharge of its great duty to the youth of our State—and, in this view of its design, the information in question would seem to your committee important to be presented in a specific report to the Legislature, to be made at the beginning of each biennial session.

Your committee would remark that so many modifications have been made in the provisions of the school law of 1846, by subsequent statutes enacted for the several counties, that it would probably be impracticable with the data now in possession of the Legislature, to procure a regular supply of the information called for by the resolution referred to, or to adopt any specific legislation in reference to the general subject of schools. It would, in their opinion, be well to require the Secretary of State to prepare and submit a report to the next ensuing Legislature, embodying all the information specified in the 15th and 16th sections of the act of 1846, so far as the returns in his possession enable him to do so. They have, accordingly, prepared and herewith report a bill to effect that end, and recommend its passage.

The bill was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Berry, from the committee on Propositions and Grievances, made the following report, which was received and agreed to:

MR. PRESIDENT.—The committee on Propositions and Grievances, to whom was referred a bill for the relief of Kitty and John Curran, jr., have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend its passage.

Mr. Ellett, from the Judiciary committee, made the following report, which was received and agreed to:

MR. PRESIDENT.—The committee on the Judiciary, to whom was referred a bill from the House of Representatives, to be entitled “an act regulating the prosecution and trial of slaves in this State, for crimes the punishment of which is not capital”—have had the bill under consideration, and have instructed me to report the same back with the recommendation that it do pass.

Mr. Koger offered the following amendment:

Strike out “slaveholder,” where it occurs in the bill, and insert “freeholder.”

The question was taken on the adoption of the amendment, and decided in the negative, by ayes and noes, as follows:

AYES.—Mr. President, and Messrs. Cobb, Greer, Graves, Hough, Johnston, Koger, Monroe and Pope.—9.

NOES.—Messrs. Adams, Alcorn, Arthur, Allen, Beene, Bennett,

Banks, Berry, Ellett, Farrar, Hemingway, McWillie, Nelson, Oliver, Ramsay, Reynolds, Steele, Stuart, West and Webb.—20.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit :

An act to amend an act entitled an act to incorporate the Quitman Bridge Company, in the county of Clark, approved October 16, 1852.

An act to amend an act to reduce the fees of certain officers therein named, approved February 10th, 1848, so far as relates to the county of Lowndes.

An act to authorize the Board of School Commissioners of the county of Lauderdale to sell the school lands in said county, and for other purposes.

An act to incorporate the Lowndes Dragoons, a volunteer company in the town of Columbus, Mississippi.

An act to legalize the assessment roll of Kemper county, as returned to the Board of Police of said county, so far as the same relates to the land book for the year 1853.

An act to incorporate the town of Paris, in the county of Lafayette.

An act making provisions where no executor or administrator will qualify, under a last will and testament, and undertake to carry into effect, so far as the county of Kemper is concerned.

An act authorizing the drawing of a special jury for the September term of the Circuit Court of the county of Kemper, for the year 1854.

An act to provide for the bridging of the various streams of the county of Jefferson, and for other purposes.

An act to change the time of holding the Vice-Chancery Court for the Southern District, held at Paulding.

An act to revive the charter of incorporation of the town of Quitman, in the county of Clark.

An act for the relief of Jacob K. Hill.

An act to alter and amend an act entitled an act to incorporate the Enterprize Bridge Company, in the county of Clark, approved March 4th, 1850.

An act to declare the Eocataupa river a navigable stream.

An act to authorize the Board of Police of Jones county to close and sell for the use of the county, certain streets in the town of Ellisville.

An act in relation to acknowledgments of deeds taken before members of the Board of Police, and to provide for the cancellation of satisfied mortgages and deeds of trust.

An act further to amend an act entitled an act to change the forms of pleadings in the Circuit Courts of this State.

An act to incorporate the Red Banks Female Seminary, and for other purposes.

An act to authorize and empower the Board of Police of Madison county to distribute the school fund subject to distribution in the hands of the Treasurer of said county of Madison.

An act for the relief of Johnathan W. Smith, of Monroe county.

An act to amend the seventh section of an act passed on the 26th February, 1842, in relation to free negroes and mulattoes, so far as relates to the county of Madison.

An act to authorize and empower the Board of Police of Madison county to procure the field notes of the original survey of said county, and for other purposes.

An act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and overflowed lands in the counties of Lowndes and Monroe, and for other purposes, passed October 20th, 1852.

An act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th February, 1850.

An act to regulate the working of public roads, and repairing bridges, in the counties of Claiborne, Jefferson and Warren.

An act to incorporate the town of Barton in the county of Lowndes.

An act for the relief of the next of kin of Martin J. Malloy, deceased.

An act to authorize the Mayor and Aldermen of the City of Jackson to increase the rate of taxation on real estate in said city, for the purpose of paying the indebtedness of said city, and for other purposes.

An act to amend the common school law so far as the same relates to the county of Pike.

An act to change the name of Francis Elizabeth Jane Warrick, to that of Francis Elizabeth Jane Hatch, and the name of Francis Elizabeth Fish, of Coahoma county, to that of Francis Rebecca North.

An act to incorporate the Yazoo Valley Plank Road Company.

An act to amend the laws in relation to Boards of Police, and the working of roads in the counties of Wilkinson, Franklin, Hinds, Neshoba and Warren.

An act to revive and continue in force an act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena, approved February 20th, 1850.

An act to incorporate the town of French Camps, in the county of Choctaw, and for other purposes.

An act for the relief of Wm. McBride, of Madison county.

An act to repeal all laws exempting School Trustees in the county of Claiborne from serving as jurors.

An act for the relief of Wilmarth Female College, at Natchez.

A resolution in relation to John Morrison.

An act granting the right of way through the State of Mississippi, and other privileges, to the St. Louis, Helena and New Orleans Rail Road.

An act to change the time of holding the Courts of Leake and Attala counties.

An act to extend the act approved March 9th, 1850, in relation to writs of error and supersedeas.

An act to reduce the fees of the Sheriffs and Probate Clerks of Leake and Attala counties, and for other purposes.

An act to incorporate the Port Gibson and Homochitto Plank Road Company.

An act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property by cars or rail road machinery, approved March 16th, 1852;

And have found the same correctly enrolled.

They have also presented to his Excellency, the Governor, for his signature and approval, bills of the following titles:

A resolution of the Legislature in relation to the press in the Auditor's office.

Resolution of the Legislature of the State of Mississippi, in relation to the Superintendent of the Blind Asylum.

An act for the improvement of the navigation of Little Deer Creek, in Issaquera county.

An act for the relief of Williams Thomas and Jackson Pitchford, executors of Augustus Pitchford, late of Holmes county.

An act to incorporate the Southwestern Air Line Extension Rail Road Company.

An act further to amend an act entitled an act to incorporate the Mississippi Central Rail Road Company, approved March 10th, 1852.

An act to incorporate Ocean Springs, in the county of Jackson.

An act for the benefit of Mariamne Hutchinson.

An act to incorporate the Central Mississippi Female College, in the town of Lexington, Holmes county.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles:

An act to amend an act entitled an act to incorporate the Quitman Bridge Company, in the county of Clark, approved October 16, 1852.

An act to amend an act to reduce the fees of certain officers therein named, approved February 10, 1848, so far as relates to the county of Lowndes.

An act to authorize the Board of School Commissioners of the county of Lauderdale, to sell the school lands in said county.

An act to incorporate the Lowndes Dragoons, a volunteer company in the town of Columbus.

An act to legalize the assessment roll of Kemper county, as returned to the Board of Police of said county, so far as the same relates to the land book for the year 1853.

An act to incorporate the town of Paris, in the county of Lafayette.

An act making provisions where no executors or administrators will qualify under a last will and testament, and undertake to carry into effect, so far as the county of Kemper is concerned.

An act authorizing the drawing of a special jury for the September term of the Circuit Court of the county of Kemper, for the year 1854.

An act to provide for the bridging the various streams of the county of Jefferson, and for other purposes.

An act to change the time of holding the Vice-Chancery Court for the Southern District, held at Paulding.

An act to revive the charter of incorporation of the town of Quitman, in the county of Clarke.

An act for the relief of Jacob K. Hill.

An act to alter and amend an act entitled an act to incorporate the Enterprize Bridge Company, in the county of Clark.

An act to declare the Escataupa river a navigable stream.

An act to authorize the Board of Police of Jones county to close and sell for the use of the county certain streets in the town of Ellisville.

An act in relation to acknowledgments of deeds taken before members of the Board of Police, and to provide for the cancellation of satisfied mortgages and deeds of trust.

An act further to amend an act entitled an act to change the forms of pleadings in the Circuit Courts of this State.

An act to repeal all laws exempting school trustees in the county of Claiborne, from serving as jurors.

An act for the relief of Wilmarth Female College at Natchez.
Resolution in relation to John Morrison.

An act granting the right of way through the State of Mississippi, and other privileges, to the St. Louis, Helena and New Orleans Rail Road.

An act to change the time of holding the Courts of Leake and Attala counties.

An act to extend the act approved March 9, 1850, in relation to writs of error and supercedeas.

An act to reduce the fees of the Sheriffs and Probate clerks of Leake and Attala counties, and for other purposes.

An act to incorporate the Port Gibson und Homochitto Plank Road Company.

An act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property by cars or rail road machinery, approved March 16, 1852;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have concurred in the amendment made by the Senate to House bills of the following titles :

A bill to be entitled an act to incorporate the town of Barton, in the county of Lowndes.

A bill to be entitled an act to revive and continue in force an act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena, approved February 20, 1850.

A bill to be entitled an act to change the name of Francis Elizabeth Jane Warrick, to that of Francis Elizabeth Hatch.

A bill to be entitled an act to incorporate the Lexington Yazoo Valley Plank Road Company.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Lexington in the county of Holmes.

A bill to be entitled an act to amend the laws in relation to the Boards of Police, and the working of roads in the counties of Wilkinson, Franklin, Hinds and Marshall.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to authorizd the N. E. and S. W. Alabama Rail Road Company, to extend their rail road from the west boundary line of the State of Alabama to any point on the Mobile and Ohio Rail Road in the State of Mississippi.

A bill to be entitled an act to prevent the selling of vinous and spiritous liquors within certain localities in the county of Marshall.

A bill to be entitled an act to extend the corporate limits of the town of Holly Springs.

A bill to be entitled an act to incorporate the Byhalia Female Institute.

A bill to be entitled an act to incorporate the Chulahoma and Byhalia Plank Road Company.

A bill to be entitled an act to change the time of holding the Probate Court of Leake county.

A bill to be entitled an act to amend an act entitled an act to incorporate the DeSoto Pigeon Roost Plank Road Company, approved March 15, 1852.

A bill to be entitled an act to change the line between Lafayette and Marshall counties;

Which are herewith returned to the Senate.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to incorporate Union Seminary in DeSoto county.

A bill to be entitled an act to establish a separate Inferior Court of Chancery in each county of this State, and for other purposes.

A bill to be entitled an act to amend the several statutes of limitations now in force in this State.

A bill to be entitled an act to authorize O. H. P. Townsend to build a Turnpike on Cold Water river.

A bill to be entitled an act to incorporate Cooper's Well Company, in Hinds county.

A bill to be entitled an act to amend an act to incorporate the town of Liberty, in Amite county.

A bill to be entitled an act for the relief of the heirs of Wiley B. Torrey, deceased.

A bill to be entitled an act to regulate the service of process issued by Justices of the Peace in this State.

A bill to be entitled an act to authorize and provide for transcribing the records of the Circuit and Probate Courts of Jackson county.

A bill to be entitled an act supplemental to an act for improving the navigation of Little Deer Creek, in Issaquena county.

A bill to be entitled an act for the relief of A. J. Howard.

A bill to be entitled an act to increase the fees of certain officers therein named, for the county of Harrison.

A bill to be entitled an act to incorporate Odd Fellows Hall Company, in Canton, Madison county.

A bill to be entitled an act to amend an act to incorporate the Trustees of 16th section, of township 10, range 2 east, in Madison and Yazoo counties, approved February 24, 1842;

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act supplementary to an act entitled an act to prevent the destruction of oysters in the State of Mississippi,

And have made an amendment thereto,

In which the concurrence of the Senate is desired.

The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled an act to amend and reduce into one the act incorporating the town of Aberdeen, and the several acts amendatory thereto.

Also, in the Senate amendment made to the House bill entitled an act to incorporate the town of French Camp, in the county of Choctaw.

Also, an act for the relief of Wm. Bucks, of Chickasaw county.

Mr. Johnston, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to amend the 6th section of an act entitled an act to provide for the leveeing of the Mississippi river, in the county of Bolivar, so far as the same relates to Washington

county, have had the same under consideration, and have instructed me to report back the same without amendment, and recommend its passage.

The rule was suspended, the bill read the third time and passed. Ordered, that the title thereof stand as stated.

Mr. Johnston, from a select committee, made the following minority report :

The undersigned, a minority of the committee to whom was referred a bill to be entitled an act to provide for the removal of the seat of justice of Yazoo county, have had the same under consideration, and have instructed me to make the following report, viz :

The bill under consideration is based upon a petition signed by a large and very respectable portion of the citizens of Yazoo county, amounting in number to four hundred and sixty. The facts therein set forth, all of which the committee have fully appreciated, being of a weighty and important character, insomuch, that, notwithstanding a remonstrance, numbering at least one hundred majority, with arguments equally as potent against the propriety of its removal, we contend that their voice should not be stifled by any action of this body. The precedent has already been established in submitting the same question to the same people in former years. Though objections might be urged upon the plea that the question had been once settled by the people, still, in Republican governments, it is not unusual that questions of such grave importance should again and again be referred. The constitution, the great fundamental law of our State, has been twice subjected to the popular voice. And there is every reason to believe that it is almost the unanimous opinion of this body the same subject is now ripe for popular action. And yet four decades have not elapsed. A public representative who is faithful to his trust must look aloof from sectionalities.

The difference between himself as an individual and a representative, is the difference between the one and the many, and no rebuke from the masters to their servants, however summary in its character could be too severely inflicted upon those who would betray their trust, where distinctions are so nicely balanced, as on the present occasion. While the right of majorities to govern is not in the slightest degree questioned, we contend those rights must be exercised according to the laws of justice and truth ; and the right of minorities, at least must be admitted to be so construed, as to demand of those in power a rigid adherence thereto.

The subject under consideration is a conflict of public opinion ; a struggle between majorities and minorities. The former appeal to us as arbitrators, the latter to the popular will. And in order that tranquility and harmony may be restored, that minorities may cease to complain of injustice, and majorities of agitation, and the question forever settled, your committee recommend that the bill do pass.

A division of the question being called for, the report was received and laid on the table.

Mr. West, from a select committee, made the following report, which was received and agreed to :

The select committee to whom was referred the petition of a large number of the citizens of Yazoo county, praying for the removal of the court house from Yazoo City, to Benton, on the passage of a law submitting the subject to the voters of said county, as also, a remonstrance to the same, have had the same under consideration, and a majority thereof have instructed me to make the following report, and ask to be discharged from its further consideration.

The reasons given in said petition, for the removal, are as follows, first—the epidemic which prevailed in Yazoo City the last season, thereby preventing the holding of court in said county; secondly, Benton is nearer the geographical centre of said county. In view of the fact, that the valuable time of the Legislature have, at various periods, been consumed in considering this subject, which to the people of said county, is and has been one of agitation and vexation for years past, entering into their elections, and thereby militating against the harmony and best interests of the people, we have labored to arrive at a just conclusion, and give permanence to its settlement.

In answer to the first reason, we would state, that the epidemic never before prevailed in said town, (as we have been advised,) and hence it does not follow, as a matter of course, that they will have periodical visitations of that dreadful scourge. Should, however, that reason obtain in this particular case, it would also hold good against Vicksburg and other places, and also against the magistrates courts, now held in said localities. It would be idle in our opinion, to say that any locality with a dense or numerous population, was exempt from its ravages. If, however, that could be urged as a good reason for its removal, the difficulty has been obviated by an act of the present session of the State Legislature, changing the time of holding the courts from the months in which this disease prevails.

In reply to the second reason, we would state that neither of said places are in the geographical centre of said county, and if the doctrine of centrality is to prevail, then neither would be entitled to the court house. By an addition of territory, made to the western portion of said county, a few years past, by an act of the Legislature, the claims of Yazoo City to the court house have been much strengthened, and by the existence of another fact, as we have been advised, namely, that Yazoo City is central, or more so than Benton, to the business and population of the county, and accessible for all parts of the same.

Your committee are advised that the court house, jail, and enclosures have been erected in Yazoo City, at an expense of near

\$25,000, six thousand of which, all parties admit to have been paid by way of donation, by the citizens of said town. The elegance, finish, and convenience of said court house is surpassed by that of few, if any, in this State; and the jail is safe and durable. On the other hand, the court house and jail in Benton are in a dilapidated condition, and unfit for the public business, and would have to undergo much expensive repairs, or new buildings erected instead, in the event of removal.

Your committee would further state, that in the year 1848, a law was passed, submitting the question of removal to the voters of said county at the ballot box, and a decided majority determined in favor of the present location, and thereupon the aforesaid buildings were erected, and the donation as aforesaid made. It would therefore be, in our opinion, without touching the merits of the original controversy, obviously unjust to those who subscribed to the building of said court house, to disturb its present location; more especially, when we consider that it was sanctioned by a decided majority of the voters of said county, as above stated, and now sustained by a remonstrance signed by more names than the petition praying for legislation.

To admit the mischievous and dangerous doctrine, that minorities petitioning for legislation, against the will of majorities, properly ascertained, where there is a community of interest, would be destructive of the best interests of society, and at war with the dignity of government and the stability of our institutions, and the inevitable result of a practicable exercise of which would be anarchy and confusion.

A majority of your committee would therefore advise no legislation upon the subject.

Mr. Adams, from the committee on Public Buildings, made the following report, which was received and agreed to:

To the President of the Senate

and Speaker of the House of Representatives:

The joint standing committee on Public Buildings, have instructed me to report, that they have examined the Capitol and Executive mansion, and the grounds and inclosures thereto belonging, and find that the buildings are in a very bad state of repair. Many repairs are absolutely necessary for the preservation of the buildings.

In compliance with a resolution passed in the Senate, your committee called upon Mr. Willis, architect, and requested him to examine the buildings, and report to them, what repairs were necessary and proper, and to report the same with the probable cost, &c. In accordance with the request of the committee, Mr. Willis has made the examination, and reported to the committee.

The repairs and additions suggested by him, will be found in his report herewith presented. Some of these repairs, your com-

mittee did not deem absolutely necessary. Such as they deem indispensable, are embraced in the bill herewith presented, which contains the necessary appropriations, and which they recommend should pass.

The bill was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the same rule was further suspended, and the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act authorizing the Secretary of State to transcribe into one and separate books, the Internal Improvement and Chickasaw School Lands.

In which the concurrence of the Senate is desired.

Mr. Greer, from a joint select committee, made the following report :

MR. PRESIDENT—The joint select committee to whom was referred, a bill to be entitled an act to reduce the price of the Chickasaw School Lands, in the county of Leake, have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend that it do not pass.

A division of the question being called for the report was received.

On motion of Mr. Greer, the report was agreed to.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act supplemental to an act entitled an act to provide for leasing the Chickasaw School Lands, approved Feb. 23, 1818 ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Adams introduced a bill of the following title :

A bill to incorporate the Deer Creek and American Bend Railroad Company, and for other purposes ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger introduced the following resolution, which was adopted :

Resolved, That hereafter no person shall be allowed to speak more than ten minutes at a time, nor more than twice on any one subject, except on the bill before the Senate, to aid in the construction of the Mississippi Central Railroad, and the New Orleans, Jackson, and Great Northern Railroad.

Mr. Koger introduced the following resolution, which was adopted :

Resolved, by the Senate and House of Representatives, That a committee of three from each House be, and they are hereby appointed, to take into consideration the propriety of new moddling the mode and manner of conducting the clerks office, in the two branches of the Legislature.

The President appointed on said committee, Messrs. Koger, Mc-Willie, and Cobb.

Mr. Monroe, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee to whom was referred a bill entitled an act to grant pre-emptions to certain lands in the State of Mississippi, report the same back without amendment, and recommend its passage.

The bill was then read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston introduced a bill of the following title :

A bill to be entitled an act to tax the Chickasaw Lands for county purposes :

Which was read the first time.

Mr. Webb moved to reject the bill, which motion was carried.

Mr. Cobb introduced a bill of the following title :

A bill to be entitled an act to authorize the North Alabama and Grand Junction Railroad Company to extend their railroad from the west boundary line of the State of Alabama, to the town of Columbus, in the State of Mississippi ;

Which was read the first time.

On motion of Mr. Cobb, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Cobb, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Bennett moved to take up the bill entitled

An act supplemental to an act entitled an act to lay off the State into five Congressional Districts ;

A call of the Senate was had.

On motion of Mr. Webb, a further call of the Senate was suspended.

On motion of Mr. West, leave of absence was granted to Mr. Drane.

On motion of Mr. Oliver, leave of absence was granted to Mr. Pegues.

The question was taken on taking up ;

Which was lost.

On motion of Mr. Ellett,

The Senate took a recess until 3 o'clock, this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Oliver moved to take up two bills in relation to the Mississippi and Tennessee Railroad ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Arthur, Beene, Bennett, Berry, Cobb, Ellett, Farrar, Greer, Graves, Hough, Johnston, Koger, Monroe, Oliver, West, and Webb—17.

NAYS—Messrs. Adams and Hemingway—2.

The bill to be entitled an act to amend an act to incorporate the Mississippi and Tennessee Railroad Company ;

Was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time by title.

Mr. Adams moved to amend the 9th line, first section, by striking out "fifty," and insert "thirty ;"

Which was adopted.

On motion of Mr. Oliver, the rule was further suspended, and the bill read the third time and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Oliver called up House bill entitled

An act supplemental to an act to amend an act to incorporate the Mississippi and Tennessee Railroad Company ;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Oliver, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill to be entitled

An act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors, approved February 26, 1842 ;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Koger, the rule was further suspended, and the bill read the third time and passed.

Ordered; That the title thereof stand as stated.

Mr. Ellett called up House bill to be entitled

An act to increase the number of the Laws and Journals printed for distribution ;

Which was read the first time.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved Feb. 27, 1836.

An act to incorporate the Rio Banks Female Seminary, and for other purposes.

An act to regulate the working of public Roads and repairing of Bridges, in the counties of Claiborne, Jefferson and Warren.

An act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and overflowed Lands in the counties of Lowndes and Monroe, and for other purposes, passed Oct. 20, 1850.

And act to authorize and empower the Board of Police of Madison county to procure the field notes of the original survey of said county, and for other purposes.

An act to amend the 7th section of an act passed on the 26th of Feb. 1842, in relation to Free Negroes and mulattoes, so far as relates to the county of Madison.

An act for the relief of Jonathan W. Smith, of Monroe county.

An act for the relief of Wm. McBride, of Madison county.

An act to authorize and empower the Board of Police of Madison county, to distribute the School Fund, subjected to distribution, in the hands of the treasurer of said county.

An act to incorporate the town of French Camp, in the county of Choctaw, and for other purposes.

An act to change the name of Francis Elizabeth Jane Worrick, to that of Francis Elizabeth Hatch ; and the name of Francis Elizabeth Fish, of Coahoma county, to that of Francis Rebecca North.

An act to amend the Common School Law, so far as the same relates to the county of Pike.

An act for the relief of the next of kin of Martin J. Mallory, deceased.

An act to authorize the mayor and aldermen of the City of Jackson, to increase the rate of taxation on real estate in said city, for the purpose of paying the indebtedness of said city, and for other purposes.

An act to incorporate the town of Barton, in the county of Lowndes.

An act to revive and continue in force an act to provide for the

erection, repair, and preservation of levees on the Mississippi river, in the county of Issaquena, approved February 20, 1850.

An act to amend the Laws in relation to the Board of Police and the working of roads, in the counties of Wilkinson, Franklin, Hinds, Neshoba and Warren.

An act to incorporate the Yazoo Valley Plank Road Company.

An act for the relief of Wm. Bucks, of Chicksaw county.

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have adopted the following resolution :

Resolved, That the Senate be requested to return to the House of Representatives, a bill which passed the House of Representatives, entitled an act to prohibit the sale of Vinous or Spiritous Liquors, within four miles of Chulahoma, Byhalia, and North Mt. Pleasant.

Mr. Adams moved to take up the bill to be entitled

An act to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad,

And decided in the affirmative, by ayes and noes, as follows :

YEAS—Mr. President, Messrs. Adams, Alcorn, Acker, Allen, Bennett, Banks, Berry, Farrar, Greer, Hemingway, McWillie, Nelson, Pope, Pegues, Reynolds, West, and Webb—18.

NAYS—Messrs. Arthur, Beene, Cobb, Ellett, Graves, Hough, Johnston, Koger, Monroe, Oliver, and Ramsay—11.

Pending the discussion,

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the resolution of the Senate, appointing a committee to take into consideration the propriety of new modeling the mode and manner of conducting the clerk's offices, in the two branches of the Legislature ;

And have amended the same.

In which the concurrence of the Senate is desired.

The blank in the amendment, made by the House, has been filled with the number 5.

The committee on the part of the House are, Messrs. Foote, Gordon, Anderson, Burt and Ward.

The House of Representatives have passed a Senate bill to be entitled

An act to incorporate the New Orleans and New York Railroad Company.

And have amended the same.

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act in relation to the rate of interest.

And have amended the same.

In which the concurrence of the Senate is desired.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to amend the acts heretofore in force in this State, granting commissions to Guardians, Executors, and Administrators, &c.

A bill to be entitled an act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson, and Great Northern Railroad Company.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to extend the provisions of an act to incorporate the town of Oxford.

A bill to be entitled an act to amend an act entitled an act for the benefit of the State University, approved Oct. 21, 1852.

The question was taken on laying the amendment offered by Mr. Ellett, to the bill under consideration, on the table,

And decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Adams, Acker, Allen, Banks, Berry, Greer, Hemingway, McWillie, Nelson, Pope, Pegues, Stuart, West, and Webb—15.

NAYS—Messrs. Alcorn, Arthur, Beene, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Koger, Monroe, Oliver, Ramsay, and Reynolds—14.

Mr. Adams offered an amendment, by an additional section ;
Which was adopted.

Mr. Johnston offered an amendment, by an additional section ;
Which,

On motion of Mr. Greer, was laid on the table, by ayes and noes, as follows :

YEAS—Mr. President, Messrs. Adams, Alcorn, Acker, Arthur, Beene, Banks, Berry, Cobb, Ellett, Farrar, Greer, Hemingway, Hough, Johnston, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Reynolds, Stuart, West and Webb—26.

NAYS—Messrs. Allen, Graves, Pope—3.

On motion,

The Senate took a recess until seven o'clock this evening.

EVENING SESSION, 7 O'CLOCK, P. M.

The recess having expired, the Senate met.

There being no quorum present, Mr. Beene moved that the Senate adjourn until to-morrow morning 9 o'clock ;

Which was decided in the negative, by ayes and noes, as follows :

YEAS — Mr. President, Messrs. Beene, Johnston, McWillie, Monroe, and Nelson—6.

NAYS — Messrs. Arthur, Berry, Farrar, Greer, Hemingway, Koger, Oliver, Pegues, Ramsay, and Steele—11.

Mr. Greer moved that the Secretary be instructed to return to the House of Representatives, a bill to be entitled

An act to prevent the selling vinous and spiritous liquors within certain localities, in the county of Marshall ;

Which was adopted.

Mr. Pettus called up House bill entitled

An act to amend an act entitled an act to promote Common Schools in the several counties of this State, so far as relates to the county of Neshoba.

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Pettus called up House bill to be entitled

An act to repeal an act passed in 1846, making the sheriff ex officio assessor of taxes, so far as relates to the county of Neshoba ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

Mr. Pettus moved to amend, by striking out the 4th section, and insert, "that this act take effect and be in force from and after the next general election ;"

Which was adopted.

The bill was then read the third time and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Monroe called up House bill to be entitled

An act for the relief of Wm. Graham, and for other purposes ;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Monroe, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Monroe called up House bill of the following title :

A bill to be entitled an act to amend an act to establish a system of Common Schools in the counties of Newton and Clarke approved March 10, 1852, so far as relates to the county of Newton ;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Monroe, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Monroe called up House bill to be entitled

An act to incorporate the officers and members of the White Plains Lodge No. 191, of Free and Accepted Masons, in the county of Newton ;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Monroe, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Monroe introduced a bill to be entitled

An act to increase the per diem pay of members of the Board of Police of Newton county, and for other purposes ;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Monroe, the rule was further suspended, the bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ramsay called up House bill entitled

An act to change the time of holding the Probate Court of the county of Perry ;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Steele called up House bill entitled

An act to authorize James Cole to peddle and hawk in the county of Oktibbeha ;

Which was read the first time.

On motion of Mr. Steele, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Steele called up House bill entitled

An act to establish a Ferry, and for other purposes ;

Which was read the first time.

On motion of Mr. Steele, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Steele, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Webb,
The Senate adjourned until to-morrow morning 9 o'clock.

FRIDAY, FEBRUARY 24, 1854.

The Senate met pursuant to adjournment,
And was opened with prayer by the Rev. Mr. Russell.

On motion, a call of the Senate was had and the absentees sent for.

On motion of Mr. Koger, a further call was suspended,
The journal of yesterday was read.

Mr. Ellett, presented the petition of sundry citizens of Covich county; with

A bill to be entitled an act to legalize the lease of section 16, township 12, range 5 east, in the county of Covich, and for other purposes;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Koger, the Senate concurred in the amendments made by the House, to the resolution of the Senate, in relation to the clerk's offices in both branches of the Legislature.

Mr. Bennett called up House bill to be entitled

An act to provide for the transcribing of the Records of the Circuit and Probate Courts of Smith county;

Which was read the first time.

On motion of Mr. Bennett, the rule was suspended, and the bill read the second time by title.

Mr. Bennett moved to amend as follows:

Amend, by adding the following proviso to the third section:

Provided, that before the transcripts shall be made, and the taxes levied, as provided for in this act, the board of police of said county shall submit the question to the people of said county, at such time and in such manner as they may see proper, and upon said question being submitted to the people as aforesaid, if a majority of the legal voters of said county shall decide in favor of the proposition, then said transcript shall be made, and said tax shall be levied as provided for in this act; but if a majority of the legal voters of said county should decide against the proposition, then this act to be null and void.

Amend by additional section:

Sec. 4. *Be it further enacted.* That this act shall take effect and be in force from and after its passage.

Mr. Oliver presented the petition of sundry citizens of De Soto county; which was referred to the committee on Propositions and Grievances.

On motion of Mr. Hemingway, the Senate concurred in the amendments made by the House, to the Senate bill to incorporate the New Orleans and New York Railroad Company.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled an act to amend an act, approved 20th October, 1852, in relation to the treasurer of Lowndes county.

A bill to be entitled an act to incorporate the Aberdeen Fire Company No. 1, in the City of Aberdeen.

A bill to be entitled an act to incorporate a manufacturing company in the town of Camargo.

A bill to be entitled an act to amend an act entitled an act to incorporate the Wildey Lodge No. 21, of I. O. O. F, in the city of Aberdeen.

Which are herewith returned to the Senate.

The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to incorporate the town of Philadelphia, in the county of Neshoba.

A bill to be entitled an act to aid in the establishment of a school system, in the county of Franklin.

A bill to be entitled an act to prevent the sale of vinous or spiritous liquors in less quantities than one gallon, in any part of sec. 28, town. 14, range 7 east, in Monroe county.

In which the concurrence of the Senate is desired.

Mr. Farrar called up House bill to be entitled

An act for the relief of Wm. Winston.

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Adams called up House bill to be entitled

An act to incorporate Cooper's Well Company, in the county of Hinds;

Which bill was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett introduced a bill to be entitled

An act to amend an act entitled an act to incorporate the Southern Scientific Institute;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Arthur called up House bill to be entitled

An act supplemental to an act for improving the navigation of Little Deer Creek, in Issaquena county.

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

Mr. Arthur moved to amend, by an additional section ; which was adopted.

The bill was then read the third time and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. West called up House bill entitled

An act to annex a part of Tallahatchie county to the county of Sunflower, and for other purposes ;

Which was read the first time.

The following message was received from the House of Representatives, through their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the amendment made by the Senate, to the House bill entitled, an act to amend an act to incorporate the Mississippi and Tennessee Railroad Company.

The House of Representatives have passed a bill to be entitled an act to regulate the liens of judgments in justices courts, and for other purposes.

In which the concurrence of the Senate is desired.

Mr. Webb, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The committee on Enrolled Bills, have this day examined bills of the following titles :

An act to amend an act entitled an act to incorporate the town of Lexington, in the county of Holmes.

An act to incorporate Ellisville Lodge No. 161, of Free and Accepted Masons, and for other purposes.

An act to extend the corporate limits of the town of Holly Springs.

An act to incorporate the Byhalia Female Seminary.

An act to incorporate the Chulahoma and Byhalia Plank Road Company.

An act to change the line between Lafayette and Marshall counties.

An act to authorize the North-east and South-west Alabama Railroad Company to extend their railroad from the west boundary line of the State of Alabama, to any point on the Mobile and Ohio Railroad, in the State of Mississippi.

Resolution in relation to Jefferson College.

An act to amend an act to incorporate the De Soto Pigeon Roost Plank Road Company, approved March 15, 1852.

An act to create in the University of Mississippi a professorship of governmental science and law.

Resolution in relation to the officers of the United States Land Office.

And have found the same correctly enrolled.

Mr. Berry introduced the following resolution, which was adopted:

Resolved, That no new business shall be introduced into the Senate after 11 o'clock, a. m., on Saturday the 25th inst, except such as may be introduced at the regular call of the counties during night sessions.

Mr. Graves called up House bill entitled

An act to encourage and establish a manufactory of Clocks in the State of Mississippi ;

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Adams called up Senate bill to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad.

Mr. Bennett offered the following amendment to the bill :

Amend, by adding the following proviso to the 5th section :

Provided, that there be and is hereby appropriated, out of said internal improvement fund, the sum of \$5,000, for the purpose of surveying out and locating the line of the Gulf and Ship Island Railroad. And that the Governor of this State be and he is hereby authorized and required, immediately after the passage of this act, to appoint a suitable engineer, whose duty it shall be, so soon as practicable, to employ a suitable number of assistants, and proceed to survey out and locate the line of said Gulf and Ship Island Railroad ; and in surveying and locating the same, it shall be the duty of said engineer to survey and run out three separate lines or routes, commencing at the same point on the Gulf coast, as near Ship Island as may be, where the greatest depth of water is ascertained to be, by actual survey of the harbor ; the first line running from thence, in a northern direction, so as to intersect with the Southern Railroad at Brandon, in Rankin county, or at some suitable point east of Brandon ; and from thence to Canton, in Madison county, so as to intersect with the New Orleans, Jackson and Great Northern Railroad, and Central Railroad, at that point. The second line running in a north-eastern direction, so as to intersect with the Mobile and Ohio Railroad, at the point where the Southern Railroad crosses the same, or at some point south of the

point of the crossing of said roads. The third line running in a north-western direction, so as to intersect with the New Orleans, Jackson and Great Northern Railroad, at the City of Jackson, in Hinds county, or at some point south of said City of Jackson. And when the surveys herein provided for, shall have been completed, it shall be the duty of said engineer to make out the proper profiles, maps, &c., and an estimate of the cost of building said road on each line or route of survey, as provided for as aforesaid, and return the same into the office of said Governor; and whenever such surveys, locations, and estimates shall have been so made and returned as aforesaid, it shall be the duty of said Governor to issue his requisition upon the Auditor of Public Accounts, in favor of said engineer, his agent or assignee, requiring said Auditor to draw his warrant on the State Treasury, payable out of said internal improvement fund, in favor of said engineer, his agent, or assignee, as the case may be, for such amount of money as said surveys and locations may have cost, not exceeding said sum of five thousand dollars.

And, provided further, that so soon as the stock invested by this act can be sold at par, the same is hereby invested in the said Gulf and Ship Island Railroad, upon the same conditions and under the same restrictions as provided in this act, investing the same in the New Orleans, Jackson and Great Northern Railroad, and the Central Railroad.

Mr. Allen offered to amend the amendment, by an additional section.

Mr. Adams moved to lay the amendment on the table;

Which was decided in the negative, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Adams, Alcorn, Banks, Berry, Greer, Hemingway, Koger, McWillie, Pope, Pegues, Ramsay, and Webb—13.

NAYS—Messrs. Acker, Arthur, Allen, Beene, Bennett, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Oliver, Stuart, and West—15.

Mr. West moved a re-consideration of the vote just taken on laying the amendment on the table;

Which was decided in the affirmative, by ayes and nays, as follows:

AYES—Mr. President, Messrs. Adams, Alcorn, Acker, Bennett, Banks, Greer, Hemingway, Koger, McWillie, Pepe, Pegues, Ramsay, West, and Webb—15.

NAYS—Messrs. Arthur, Allen, Beene, Berry, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Oliver, Steele, and Stuart—14.

Mr. Adams moved to lay the amendment to the amendment on the table;

Which motion was carried.

Mr. Allen offered the following amendment to the amendment :

After the words "Ship Island," add,

To the Mississippi and Tennessee Railroad, for the purpose of constructing a depot at Grenada, or such point where said road may unite with the Central Railroad.

Mr. Adams moved to lay the amendment on the table ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Adams, Acker, Bennett, Banks, Berry, Greer, Hemingway, Koger, McWillie, Nelson, Pope, Pegues, Ramsay, Stuart West, and Webb—17.

NAYS—Messrs. Alcorn, Arthur, Allen, Beene, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Oliver, Reynolds and Steele—14.

Mr. Adams moved to amend the amendment, as follows :

If the said Gulf and Ship Island Railroad shall be organized, and one million of dollars worth of stock subscribed, and the proportion thereof required by the charter, paid in within two years after the passage of this act.

On motion of Mr. Bennett, the amendment was laid on the table.

Mr. Ellett moved to strike out "five," and insert "fifteen."

Mr. Adams moved to lay the amendment to the amendment on the table ;

Which was carried.

Mr. Alcorn offered the following amendment to the amendment :

Provided, however, that before the Auditor of Public Accounts shall be authorized to issue his warrant, as is provided in the 6th section of this act, it shall be his duty to ascertain from the Treasurer, whether the internal improvement fund has been re-imbursed by surplus revenues, as is now provided by law. And should it appear that such reimbursement has not been made, and that there are no funds in the Treasury set apart for such reimbursement, and that the requisitions of such warrants will infringe upon the amounts accruing to the treasury under the existing revenue laws, so as to exhaust the funds necessary for the current expenses of the State government, he shall not be authorized to issue his warrant, except for such sum as may remain in cash properly the money of the internal improvement fund.

Mr. Acker moved to lay the amendment to the amendment on the table ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Messrs. Adams, Acker, Allen, Banks, Berry, Greer, Hemingway, Koger, McWillie, Nelson, Pope, Pegues, Ramsay, Stuart, West, and Webb—16.

NAYS—Mr. President, Messrs. Alcorn, Arthur, Beene, Bennett, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Oliver, Reynolds, and Steele—15.

Mr. Acker moved to re-consider the vote taken on laying the amendment offered by Mr. Allen, on the table ;

Which was lost.

Mr. Greer moved the previous question, on the amendment.

Pending the consideration,

The following message was received from the House of Representatives by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled

An act to amend the Probate Laws of this State, and for other purposes.

In which the concurrence of the Senate is desired.

On motion of Mr. Koger,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met,

And resumed the consideration of the bill to aid in the construction of the New Orleans, Jackson and Great Northern Railroad.

Mr. Ramsay offered the following amendment to the amendment :

Strike out all that part of the amendment that requires "a line shall be surveyed from the Gulf coast to intersect with the Mobile and Ohio Railroad ;" and that portion which requires "a line to be surveyed from the Gulf coast to intersect with the New Orleans, Jackson and Great Northern Railroad, at Jackson, or South of Jackson."

A division of the question being called for, the first clause of the amendment offered by Mr. Ramsay, was carried.

On motion of Mr. Hemingway, the vote taken on the first clause of the amendment, offered by Mr. Ramsay, was re-considered.

The amendment was then withdrawn.

Mr. Oliver moved to strike out the last proviso, in the amendment offered by Mr. Bennett ;

Which was decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Arthur, Beene, Berry, Cobb, Ellett, Farrar, Monroe, Nelson, Oliver, Reynolds, and Webb—11.

NAYS—Mr. President, Messrs. Adams, Acker, Allen, Bennett, Banks, Greer, Graves, Hemingway, Hough, Johnston, Koger, McWillie, Pegues, Ramsay, Stuart, and West—18.

Mr. McWillie offered the following amendment; which was accepted by Mr. Bennett:

"Provided, that said railroad company shall be regularly organized, and shall have subscribed \$500,000 in reliable stock in said road."

Mr. Allen offered the following amendment, which was lost:

Amend, by adding to Gulf and Ship Island Railroad, Tennessee and Mississippi Railroad, in proportion to number of miles of each road.

Mr. Ellett offered the following amendment:

And provided, that no stock shall be subscribed by the State, in the Ship Island and Gulf Railroad, until the State stock in the other roads shall be sold, and then only an amount of stock equal to the whole proceeds of the said sale shall be subscribed; and the first payment thereon shall be equal to the amount then paid on each share, by other stockholders.

Mr. Ellett moved that the whole subject be indefinitely postponed;

Which was decided in the negative, by ayes and noes, as follows:

AYES—Mr. President, Messrs. Arthur, Beene, Berry, Cobb, Ellett, Farrar, Graves, Johnston, Koger, Monroe, Oliver, and Reynolds—13.

NAYS—Messrs. Adams, Acker, Allen, Bennett, Banks, Greer, Hemingway, McWillie, Nelson, Pope, Pegues, Ramsay, Stuart, and West—14.

On motion of Mr. Bennett, the further consideration of the subject was postponed, until to-morrow, after reading the journal.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The Speaker of the House of Representatives has signed

An act to amend and reduce into one, the act incorporating the Town of Aberdeen, and the several acts amendatory thereto.

Which is herewith presented to the Senate for the signature of the President.

Mr. Acker offered the following joint resolution:

Resolved, (the House of Representatives concurring,) That the joint resolution fixing the day of adjournment of the Legislature on Thursday, 2d of March, be rescinded;

Which was read the first time.

Mr. Adams, from the committee on Public Buildings, made the following report, which was received and agreed to:

MR. PRESIDENT—The joint standing committee upon Public Buildings, have instructed me to report, that they have had under consideration the subject of the Executive mansion, and its expense to the State, and have instructed me to report, that in their opinion, the policy on this subject should be changed by increas-

ing the Governor's salary to such an extent, at least, as to afford him the means to rent a suitable house and furniture, and that the present Executive mansion should be applied and appropriated to the use of an asylum for the blind.

Your committee have been brought to this conclusion, from various considerations, prominent amongst which is the expense to the State, and Executive, in keeping up this establishment under the present arrangement. The fact of a succession of occupants, every two years, and that the furniture, table-ware, &c., is public property and not in the possession or under the charge of any particular individual during any interregnum, is in the opinion of your committee calculated to lead to losses to the State, and has so resulted in practice. The institution for the instruction of the blind, is one well worthy of legislative consideration and aid, in the opinion of your committee, and the building is admirably constructed and located for such a purpose.

The repairs and improvements heretofore recommended by your committee, are absolutely indispensable for the preservation of the building, and when made, will place the building in such a condition, that it can be used as a Blind Asylum, and with the building constantly occupied, and properly taken care of, will keep it in a state of preservation for many years, without additional expense to the State.

Your committee, entertaining these views, have herewith presented a bill intended to embody and carry them out, by applying the building to purposes of a blind asylum, from and after the 10th of January, 1856, at which time the term of office of the present Executive will expire, and the change will be attended by no expense to him or the State; which bill your committee would respectfully recommend should pass.

The bill was read the first time.

Mr. Ellett called up House bill to be entitled

An act to authorize the Secretary of State to transcribe into new and separate books, the Internal Improvement, and Chickasaw School School lands;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett called up House bill entitled

An act authorizing the clerks of the Circuit and Probate Courts of this State, to administer oaths;

Which was read the first time, the rule suspended, the bill read the second time by title, and referred to the Judiciary committee.

Mr. Ellett called up House bill to be entitled

An act to amend the several statutes of Limitation, now in force in this State ;

Which was read the first time, the rule suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Arthur called up House bill entitled

An act to amend the Attachment Laws of this State.

Which was read the first time, the rule suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Arthur called up House bill entitled

An act to amend the Jury Laws of this State, and for other purposes ;

Which was read the first time, the rule was suspended; the bill read the second time, and referred to the Judiciary committee.

Mr. Arthur called up House bill entitled

An act for the better protection of Securities in this State ;

Which was read the first time, the rule was suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. Arthur called up House bill entitled

An act to authorize aliens to acquire and hold Real Estate in the State of Mississippi ;

Which was read the first time, the rule suspended, the bill read the second time, and referred to the Judiciary committee.

Mr. West called up House bill entitled

An act for the relief of Jefferson L. Wofford, of Holmes county ;

Which was read the second time, the rule suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ramsay called up House bill entitled

An act for the relief of Kitty and John Curran, jr.;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT— The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to amend and reduce into one, the act incorporating the town of Aberdeen, and the several acts amendatory thereto.

An act to amend an act to incorporate the Mississippi and Tennessee Railroad Company.

An act supplemental to an act entitled an act to amend an act to incorporate the Mississippi and Tennessee Railroad Company.

An act to authorize James Cole to hawk and peddle in the county of Octibbeha.

An act to incorporate the Aberdeen Fire Company No. 1, in the City of Aberdeen.

And have found the same correctly enrolled.

They have this day presented to his Excellency, the Governor, bills of the following titles, to-wit:

An act for the relief of Wilmarth Female College, at Natchez.

An act to repeal all laws exempting School Trustees in the county of Claiborne from serving as jurors.

An act to reduce the fees of the Sheriffs and Probate Clerks of Leake and Attala counties, and for other purposes.

An act further to amend an act entitled an act to change the forms of pleadings in the Circuit Courts of this State.

An act for the relief of William Burks, of Chickasaw county.

An act to authorize the Mayor and Aldermen of the City of Jackson to increase the rate of taxation on real estate in said city, for the purpose of paying the indebtedness of said city, and for other purposes.

An act to amend an act entitled an act to incorporate the Quitman Bridge Company, in the county of Clarke, approved October 16, 1852 ;

An act to incorporate the Red Banks Female Seminary, and for other purposes.

An act to legalize the assessment roll of Kemper county, as returned to the Board of Police of said county, so far as the same relates to the land books for the year 1853.

An act for the relief of Jacob Hill.

An act to incorporate the Yazoo Valley Plank Road Company.

An act in relation to acknowledgments of deeds taken before members of the Boards of Police, and to provide for the cancellation of satisfied mortgages and deeds of trust.

An act to authorize and empower the Board of Police of Madison county, to procure the field notes of the original survey of said county, and for other purposes.

An act to amend the Common School law, so far as the same relates to the county of Pike.

An act for the relief of the next of kin of Martin J. Malloy, deceased.

An act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and overflowed lands in the counties of Lowndes and Monroe, and for other purposes, passed October 20, 1852.

An act authorizing the drawing of a special jury, for the September term of the Circuit Court of the county of Kemper, for the year 1854.

An act to amend an act to reduce the fees of certain officers therein named, approved February 10, 1844, so far as relates to the county of Lowndes.

An act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved the 27th of February, 1836.

An act to amend the seventh section of an act, passed on the

26th of February, 1842; in relation to free negroes and mulattoes, so far as relates to the county of Madison.

An act to provide for bridging the various streams of the county of Jefferson, and for other purposes.

An act making provisions where no executors or administrators will qualify under a last will and testament, and undertake to carry into effect, so far as the county of Kemper is concerned.

An act to incorporate the Lowndes Dragoon, a volunteer company in the town of Columbus, Mississippi.

An act granting the right of way through the State of Mississippi, and other privileges to the St. Louis, Helena, and New Orleans Rail Road.

An act to change the time of holding the Courts of Leake and Attala counties.

An act to declare the Escataupa river a navigable stream.

An act to extend the act approved March 9, 1850, in relation to writs of error and supercedeas.

An act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property by cars or rail road machinery in this State, approved March 16th, 1852.

An act to alter and amend an act entitled an act to incorporate the Enterprize Bridge Company, in the county of Clark, approved March 4th, 1850.

An act to revive the charter of incorporation of the town of Quitman, in the county of Clarke.

An act to change the time of holding the Vice-Chancery Court for the Southern District, held at Paulding.

An act to incorporate the Port Gibson and Homochitto Plank Road Company.

An act to revive and continue in force an act to provide for the erection of levees on the Mississippi river, in the county of Issaquena, approved February 20th, 1850.

An act to incorporate the town of Barton, in the county of Lowndes.

An act for the relief of Johnathan W. Smith, of Monroe county.

An act to authorize and empower the Board of Police of Madison county to distribute the school fund subject to distribution in the hands of the Treasurer of said county.

An act to amend the laws in relation to Boards of Police, and the working of roads in the counties of Wilkinson, Franklin, Hinds, Neshoba and Warren.

An act to regulate the working of public roads, and repairing bridges, in the counties of Claiborne, Jefferson and Warren.

An act to change the name of Francis Elizabeth Jane Warrick, to that of Francis Elizabeth Jane Hatch, and the name of Francis Elizabeth Fish, of Coahoma county, to that of Francis Rebecca North.

An act to authorize the Boards of Police of Jones county to close and sell for the use of the county, certain streets in the town of Ellisville.

An act to incorporate the town of French Camps, in the county of Choctaw, and for other purposes.

An act to authorize the Board of School Commissioners, of the county of Lauderdale, to sell the school lands in said county, and for other purposes.

An act for the relief of Wm. McBride, of Madison county.

An act to incorporate the town of Paris, in the county of Lafayette.

An act to amend and to reduce into one the act incorporating the town of Aberdeen, and the several acts amendatory thereto.

Mr. Webb moved to take up the Senate bill apportioning the State of Mississippi.

Pending said motion.

The Senate took a recess until this evening at 7 o'clock, p. m.

EVENING SESSION—7 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Nelson called up House Bill entitled,

An act to repeal an act passed March 4th, 1859, in relation to the town of Hazzard, in Pike county;

Which was read the first time.

On motion of Mr. Nelson, the rule was suspended, the bill read the second time by title.

On motion of Mr. Nelson, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Berry introduced a Bill entitled,

An act to incorporate the New Albany Lodge, No. 1, of the Knights of Jericho, and for other purposes.

Which was read the first time.

On motion of Mr. Berry, the rule was suspended, the bill read the second time by title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Greer called up House Bill entitled,

An act to incorporate the Holly Springs and Hickory Flat Plank Road or Turnpike Company, the Chulahoma and Holly Springs Plank or Turnpike Company, and the Holly Springs and Byhalia Plank and Turnpike Road Company.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. McWillie called up House bill entitled,

An act to authorize and require the Board of Police of Scott county to apportion the school fund of said county among the Police Districts thereof, and for other purposes ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. McWillie called up House bill entitled,

An act to incorporate Hillsboro Branch Rail Road Company;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McWillie, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. McWillie introduced a bill to be entitled,

An act authorizing the Board of County Police, in and for the county of Madison, to protect the property of the county, &c. ;

Which was read the first time.

Mr. Alcorn called up House bill entitled,

An act to amend an act to incorporate the town of Panola, in Panola county ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill entitled,

An act to incorporate the officers of Friendship Lodge of Free and Accepted Masons, in Panola county, and for other purposes;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill entitled,

An act for the relief of N. R. Sledge and W. B. Sledge ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Banks introduced a bill of the following title :

A bill to be entitled an act in relation to the bonds of public of-

ficers, executors, administrators and guardians, in the county of Simpson;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Banks introduced a bill entitled,

An act to amend an act to provide for the appropriation of the swamp and overflowed lands on the Pearl river to the Commissioners of said Pearl river, hereinafter to be appointed, to the draining of said lands, and for other purposes, approved March 12, 1852;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Banks, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Banks introduced a bill entitled,

An act to legalize the lease of section 16, township 10, range 2 west, in Simpson county;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Banks introduced a bill entitled,

An act to authorize the increase of the Common School fund of Simpson county;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. West called up House bill entitled an act to determine the length of the terms of the Circuit Court of Madison county, and to detach Sunflower county from the 3d and add it to the 5th Judicial District;

Which was read the first time.

On motion of Mr. West, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT.—The Speaker of the House of Representatives has signed bills of the following titles:

An act to amend an act entitled an act to incorporate the town of Lexington, in the county of Holmes.

An act to extend the corporate limits of the town of Holly Springs.

An act to authorize the N. E. and S. W. Alabama R. R.

Company, to extend their railroad from the west boundary line of the State of Alabama, to any point on the Mobile and Ohio Rail Road, in the State of Mississippi.

An act to incorporate Ellisville Lodge, No. 161, of Free and Accepted Masons, and for other purposes.

An act to incorporate the Byhalia Female Seminary.

An act to change the line between Lafayette and Marshall counties.

An act to incorporate the Chulahoma and Byhalia Plank Road Company.

An act to create in the University of Mississippi a professorship of governmental science and law.

An act to amend an act to incorporate the DeSoto Pigeon Roost Plank Road Company, approved March 15, 1852.

Resolution in relation to Jefferson College.

Resolution in relation to room No. 5, in State capitol.

An act supplemental to an act entitled an act to amend an act to incorporate the Mississippi and Tennessee Rail Road Company.

An act to authorize James Cole to hawk and peddle in the county of Oktibbeha.

An act to amend an act to incorporate the Mississippi and Tennessee Rail Road Company;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled;

An act to incorporate Newton Lodge, No. 51, I. O. O. F., in the county of Wilkinson;

In which the concurrence of the Senate is desired.

Mr. West introduced a bill entitled,

An act for the benefit of Sunflower county;

Which was read the first time.

On motion of Mr. West, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. West introduced a bill entitled an act to establish a ferry across Yazoo river, at the residence of Rachael Byrnie, in the county of Sunflower, and for other purposes;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn moved to strike out "3," where it occurs, and insert "2;"

Which was adopted.

Mr. Alcorn moved to amend by an additional section;

Which was adopted.

The rule was then suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. West introduced a bill entitled,
 An act to legalize the levy of the county taxes for Sunflower county, made by the Board of Police of said county, at the August term, 1853, thereof, for the fiscal year 1853, and for other purposes;
 Which was read the first time.

On motion of Mr. West, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. West called up House bill entitled,

An act to authorize the Secretary of State to offer for sale lot four, of section 23, township 16, range 1 west, lying in Holmes county, being part of the Internal Improvement lands;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn offered an amendment, as an additional section;
 Which was adopted.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled an act to authorize the Board of Police of Tunica county to increase the county tax;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver, called up House bill entitled,

An act to provide for the construction and keeping in repair the public roads in Tunica county;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled,

An act to incorporate the Helena Plank or Turnpike Road Company, and for other purposes;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Oliver, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Berry called up House bill entitled,

An act to amend an act to incorporate Maple Springs Academy in Tippah county, approved February 28, 1852, and for other purposes;

Which was read the first time.

On motion of Mr. Berry, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Berry called up House bill entitled;

An act to incorporate Westminster Academy, in the county of Tippah;

Which was read the first time.

On motion of Mr. Berry, the rule was suspended, the bill read the second time by title.

Mr. Berry called up House bill entitled an act to change the name of Matilda Catharine Farris to that of Matilda Catharine Saunders, and for other purposes;

Which was read the first time.

On motion of Mr. Berry, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill entitled,

An act to incorporate Carrollville Lodge, No. 108, of Ancient, Free and Accepted Masons, in the town of Carrollville;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill entitled,

An act for the relief of the heirs of Wiley B. Levy, deceased;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn called up House bill entitled,

An act to establish a system of Common Schools in Tishomingo county, and for other purposes;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Reynolds introduced a bill to be entitled an act for the relief of the widow of Cornelius Carmack;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Webb called up House bill entitled,

An act for the relief of Samuel H. Ross, of Pontotoc county;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to amend an act entitled an act to incorporate the Southern Scientific Institute.

A bill to be entitled an act to increase the per diem pay of members of the Board of Police of Newton county, and for other purposes ;

Which are herewith returned to the Senate.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act to allow fees to Justices of the Peace, in certain cases herein named, in the county of Newton.

A bill to be entitled an act to amend the several acts incorporating the town of Macon, Noxubee county.

A bill to be entitled an act to regulate the fees of certain officers therein named, in the county of Neshoba, and for other purposes.

A bill to be entitled an act to authorize Durett White to erect a toll bridge across the Noxubee river, upon his own land, and for other purposes.

A bill to be entitled an act for the relief of Samuel H. Ross, of Pontotoc county.

A bill to be entitled an act to prevent the sale of vinous or spiritous liquors, in the town of Polkville, in the county of Smith.

A memorial to the Congress of the United States for the disposal of Indian orphan's lands, &c.

A bill to be entitled an act to establish a system of Common Schools in the county of Tishomingo.

A bill to be entitled an act to amend an act to authorize John C. Hudson, to make a turnpike in the county of Tunica.

A bill to be entitled an act to amend an act entitled an act to provide for leveeing the Mississippi river, in the county of Tunica, approved March 4, 1848 ;

In which the concurrence of the Senate is desired.

On motion of Mr. Alcorn,

The Senate adjourned until to-morrow morning, 9 o'clock.

SATURDAY, FEBRUARY 25, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Russell.

The Journal of yesterday was read.

Mr. Oliver presented the petition of James E. Mathews ;

Which was referred to the committee on Claims.

Mr. Bennett presented the petition of sundry citizens of Rankin county ;

Which was referred to a select committee of three.

The President appointed on said committee, Messrs. Bennett, Hough and Johnston.

The Senate proceeded to the consideration of the bill to aid in the construction of the New Orleans, Jackson and Great Northern Rail Road.

A call of the Senate was had, and the absentees sent for.

Mr. Koger moved a further call of the Senate be suspended ;

Which was carried.

The question was taken on the adoption of the amendment offered by Mr. Ellett, to the amendment ;

Which was adopted.

The question was then taken on the adoption of the amendment as amended, and decided in the affirmative, by ayes and noes as follows :

AYES.—Mr. President, and Messrs. Adams, Acker, Allen, Bennett, Banks, Greer, Graves, Hemingway, Hough, Koger, McWillie, Nelson, Pegues, Ramsay and West—16.

NAYS.—Messrs. Arthur, Beene, Berry, Cobb, Ellett, Farrar, Johnston, Monroe, Oliver, Reynolds and Steele—11.

Mr. Cobb offered the following amendment :

Amend the fifth section by adding thereto the following : *Provided*, That a sum of money belonging to the Internal Improvement fund, not to exceed one hundred thousand dollars, when collected, shall be reserved subject to the requisition of the Governor, in favor of the Mobile and Ohio Rail Road Company, in accordance with the provisions of an act, approved 16th March, 1852.

The question was taken on the adoption of the amendment, and decided in the affirmative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Arthur, Beene, Bennett, Berry, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Koger, Monroe, Oliver, Reynolds, Steele and Webb—17.

NAYS.—Messrs. Adams, Acker, Allen, Banks, Greer, Hemingway, McWillie, Nelson, Pegues, Ramsay and West—11

Mr. Johnston offered an amendment, requiring the various companies to give ample security for the faithful performance of the provisions of the bill.

Mr. Beene moved to lay the bill and amendments on the table, which was decided in the negative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Arthur, Beene, Berry, Cobb, Ellett, Farrar, Johnston, Koger, Monroe, Oliver, Reynolds and Webb—13.

NAYS.—Messrs. Adams, Acker, Allen, Bennett, Banks, Greer, Graves, Hemingway, Hough, McWillie, Nelson, Pegues, Ramsay, Steele and West—15.

Mr. Adams moved to lay the amendment offered by Mr. John-

ston, on the table, which was decided in the affirmative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Adams, Acker, Allen, Bennett, Banks, Berry, Greer, Hemingway, McWillie, Nelson, Pegues, Ramsay, Steele, Stuart and West—16.

NAYS.—Messrs. Arthur, Beene, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Koger, Monroe, Oliver, Reynolds and Webb—13.

Mr. Koger offered the following as a substitute for the bill :

That all the money in the Treasury, arising from the sale of lands donated by Congress for internal improvements, be and the same is hereby appropriated towards the payment of the Bonds of the Planters' Bank, and our Senators be and they are hereby instructed, and our members of Congress are hereby requested, to use their joint exertions to get a law passed by Congress, allowing the State of Mississippi to divert the fund for the purpose aforesaid.

Mr. Greer moved the previous question ;

Which was carried.

The President announced : " Shall the main question now be put," the engrössing of the bill, and making it the order of the day for Monday, after reading the Journal ;

Which was decided in the affirmative by ayes and noes, as follows :

AYES.—Messrs. Adams, Acker, Allen, Bennett, Banks, Cobb, Greer, Hemingway, Hough, McWillie, Nelson, Pegues, Ramsay, Steele, Stuart and West—16.

NAYS.—Mr. President, and Messrs. Arthur, Beene, Berry, Ellett, Farrar, Graves, Johnston, Koger, Monroe, Oliver, Reynolds and Webb—13.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the Senate amendments made to the House bill entitled an act supplemental to an act for improving the navigation of Little Deer Creek, in Issaquena county.

The House of Representatives have passed bills of the following titles :

A bill to be entitled an act supplemental to an act to amend the laws in relation to Boards of Police, and the working of roads in the counties of Wilkinson, Franklin, Hinds, Neshoba and Warren.

A bill to be entitled an act to incorporate the Tennessee Branch Rail Road Company.

A bill to be entitled an act to incorporate the Hernando and Coldwater Turnpike Company;

In which the concurrence of the Senate is desired.

Mr. Alcorn introduced a bill of the following title :

A bill to be entitled an act supplemental to an act entitled an act

to provide for taking stock for the State of Mississippi, in the various Rail Road companies, in this State, approved March 16, 1852.

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time, and made the order of the day for Monday.

On motion of Mr. Berry, the resolution in relation to the introduction of new bills was suspended.

Mr. Ellett introduced a bill entitled,

An act to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein, passed 27th November, 1821;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams introduced a bill entitled an act to provide for the purchase of an additional lot for the Blind Asylum;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

A call of the Senate was had, and the absentees sent for.

On motion of Mr. Acker, leave of absence was granted to Mr. Pope.

On motion of Mr. Webb, the further call of the Senate was suspended.

Mr. Greer moved that the Senate take up the apportionment bill:

Which was decided in the affirmative, by ayes and noes, as follows:

AYES.—Mr. President, and Messrs. Adams, Alcorn, Acker, Allen, Beene, Bennett, Berry, Greer, Hemingway, Hough, Koger, McWhee, Oliver, Pegues, Reynolds, Steele, West and Webb—19.

NAYS.—Messrs. Banks, Cobb, Farrar, Johnston, Nelson and Stuart—7.

The bill was read the second time.

Mr. Adams offered the following amendment as a substitute:

Amend by striking out all after the enacting clause, in the first section, and inserting: That, whereas the assessment of persons and property taken in 1853, is manifestly erroneous and defective, and that it must in the absence of a full and complete census and assessment, be improper to apportion the Senators and Representatives as required by the Constitution; therefore,

Be it enacted by the Legislature of the State of Mississippi, That the apportionment of Senators and Representatives as heretofore made, and now existing by law, shall be and continue as the apportionment of Senators and Representatives, until a correct

census and apportionment can be made as the Legislature shall hereafter by law direct.

SEC. 2. *Be it further enacted*, That this act shall be in force from and after its passage.

Pending the discussion,

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act for the relief of James H. Yerger.

A bill to be entitled an act to incorporate the American Bend and Deer Creek Rail Road Company.

A bill to be entitled an act for the relief of James T. Rucks ;

Which are herewith returned to the Senate.

The Speaker of the House of Representatives has signed bills of the following titles :

An act to repeal an act passed in 1846, making the sheriff ex-officio assessor of taxes, so far as relates to the county of Neshoba.

An act regulating the prosecution on trial of slaves in this State for crimes the punishment of which is not capital.

An act to amend an act to promote common schools in the several counties in this State, approved March 9, 1850, so far as relates to the county of Neshoba.

An act for the relief of William Graham, and for other purposes.

An act to establish a ferry, and for other purposes.

An act to change the time of holding the Probate Court of Perry county.

An act to incorporate the officers and members of White Plains Lodge, No. 191, of free and Accepted Masons, in the county of Newton.

An act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors.

An act to amend an act to establish a system of common schools in the counties of Newton and Clark, approved March 10, 1852, so far as relates to the county of Newton.

An act to change the time of holding the Probate Court of Leake county.

An act to incorporate the Aberdeen Fire Company, No. 1, in the City of Aberdeen.

An act to extend the provisions of an act to incorporate the town of Oxford.

An act to incorporate the Camargo Branch Rail Road Company.

An act to amend an act entitled an act to incorporate Wildey Lodge, No. 21, I. O. O. F., in the City of Aberdeen.

An act to incorporate a manufacturing company in the town of Camargo.

An act for the relief of Samuel H. Ross, of Pontotoc county.

An act to amend an act approved October 20th, 1852, in relation to the Treasurer of Lowndes county.

An act to amend an act entitled an act for the benefit of the State University, approved October 21, 1852.

Resolution in relation to new-modelling the mode and manner of conducting the Clerk's office in the two branches of the Legislature ;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to prohibit the sale of vinous and spiritous liquors, in the town of Grenada ;

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act to remove the Vice-Chancery Court from the town of Columbus, in Lowndes county, to the town of Macon, in Noxubee ;

Which is herewith returned to the Senate.

Pending the further discussion,

On motion of Mr. Koger,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The recess having expired, the Senate met, and resumed the consideration of the Apportionment bill.

Mr. Beene moved to lay the amendment offered by Mr. Adams, on the table ;

Which was decided in the negative by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, West and Webb—13.

NAYS.—Messrs. Adams, Acker, Arthur, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay and Stuart—15.

The question was taken on the adoption of the amendment offered by Mr. Adams, and decided in the negative, by yeas and nays, as follows :

AYES.—Messrs. Adams, Arthur, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay and Stuart—14.

NAYS.—Mr. President, and Messrs. Alcorn, Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, West and Webb—14.

Mr. Ellett moved that the bill be made the order of the day, in committee of the whole, at 11 o'clock on Monday.

A division being called for, the Senate agreed to go into committee of the whole on Monday, at 11 o'clock.

The ayes and nays being called for, are as follows :

AYES.—Mr. President, and Messrs. Adams, Alcorn, Arthur, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay and Stuart—15.

NAYS.—Messrs. Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, West and Webb—12.

Mr. Acker moved to take up joint resolution in relation to adjournment, sine die, of the Legislature.

Mr. West moved that the Senate adjourn until Monday morning, 9 o'clock ;

Which was decided in the negative by ayes and nays, as follows :

AYES.—Mr. President, and Messrs. Alcorn, Farrar, McWillie, Nelson, Reynolds, Stuart and West—8.

NAYS.—Messrs. Adams, Acker, Arthur, Beene, Banks, Berry, Cobb, Ellett, Greer, Graves, Hemingway, Hough, Johnston, Koger, Monroe, Oliver, Pegues, Ramsay, Steele and Webb—20.

The following message was received from the Governor, by his secretary, G. S. McMillan :

MR. PRESIDENT.—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit :

An act further to amend an act to change the forms of pleading in the Circuit Courts of this State.

A resolution of the Legislature of the State of Mississippi, in relation to the Superintendents of the Blind Asylum.

An act to extend the act approved March 9th, 1850, in relation to writs of error and super-redeas.

An act in relation to acknowledgments of deeds taken before members of the Boards of Police, and to provide for the cancellation of satisfied mortgages and deeds of trust.

An act for the relief of Wilmarth Female College, at Natchez.

An act to change the time of holding the Courts of Leake and Attala counties.

An act to authorize the Mayor and Aldermen of the city of Jackson, to increase the rate of taxation on real estate in said city, for the purpose of paying the indebtedness of said city, and for other purposes.

An act to repeal an act entitled an act to provide for compensation for destruction, loss or damage of persons or property by cars or rail road machinery, in this State, approved March 16th, 1852.

An act to repeal all laws exempting School Trustees, in the county of Claiborne, from serving as jurors.

An act to amend the Common School law, so far as the same relates to the county of Pike.

Mr. Webb, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act regulating the prosecution and trial of slaves in this State for crimes, the punishment of which is not capital.

An act for the relief of Wm. Graham, and for other purposes.

An act to change the time of holding the Probate Court of the county of Perry.

An act to be entitled an act to amend an act to establish a system of Common Schools in the counties of Newton and Clark, approved March 10th, 1852, so far as relates to the county of Newton.

An act to be entitled an act to promote Common Schools in the several counties in this State, approved March 9th, 1850, so far as the same relates to the county of Neshoba.

An act to incorporate the officers and members of White Plains Lodge, No. 191, of Free and Accepted Masons, in the county of Newton.

An act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors, approved February 25th, 1852.

An act to repeal an act passed in 1846, making the sheriff ex-officio assessor of taxes, so far as relates to the county of Neshoba.

An act to change the time of holding the Probate Court of Loake county.

An act to incorporate the Aberdeen Fire Company No. 1, in the City of Aberdeen.

An act to amend an act entitled an act for the benefit of the State University, approved October 21, 1852.

An act to extend the provisions of an act to incorporate the town of Oxford.

An act to incorporate the Camargo Branch Rail Road Company.

An act to amend an act entitled an act to incorporate Wildey Lodge, No. 21, I. O. O. F., in the city of Aberdeen.

A resolution in regard to the propriety of remodeling the Clerks office of both branches of the Legislature.

An act to incorporate a manufacturing company in the town of Camargo.

An act to be entitled an act to amend an act, approved 20th October, 1852, in relation to the Treasurer of Lowndes county.

An act entitled an act for the relief of Samuel H. Ross, of Pontotoc county;

And found the same correctly enrolled.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled

Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles :

A resolution in relation to the land office at Jackson.

An act to amend an act to incorporate the Mississippi and Tennessee Rail Road Company.

An act to authorize James Cole to hawk and peddle in the county of Okibbeha.

An act supplemental to an act entitled an act to amend an act to incorporate the Mississippi and Tennessee Rail Road Company.

An act to incorporate Ellisville Lodge, No. 161, of Free and Accepted Masons, and for other purposes.

Resolution in relation to Jefferson College.

An act to extend the corporate limits of the town of Holly Springs.

An act to amend an act to incorporate the Pigeon Roost Plank Road Company, approved March 15th, 1852.

An act to create in the University of Mississippi a professorship of governmental science and law.

An act to incorporate the Chulahoma and Byhalia Plank Road Company.

An act to change the line between Lafayette and Marshall counties.

An act to incorporate the Byhalia Female Seminary.

An act to authorize the N. E. and S. W. Alabama Rail Road Company to extend their railroad from the west boundary line of the State of Alabama to any point on the Mobile and Ohio Rail Road, in the State of Mississippi.

An act to amend an act entitled an act to incorporate the town of Lexington, in the county of Holmes.

An act to amend an act entitled an act for the benefit of the State University.

Resolution in relation to the Clerks of the Legislature.

An act to amend an act approved 20th October, 1852, in relation to the Treasurer of Lowndes county.

An act for the relief of Samuel H. Ross, of Pontotoc county.

An act to incorporate a manufacturing company in the town of Camargo.

An act to amend an act entitled an act to incorporate Wildey Lodge, No. 21, I. O. O. F., in the City of Aberdeen.

An act to incorporate the Camargo Branch Rail Road Company.

An act to extend the provisions of an act to incorporate the town of Oxford.

An act to incorporate the Aberdeen Fire Company, No. 1, in the City of Aberdeen.

An act to change the time of holding the Probate Court of Leake county.

An act regulating the prosecution and trial of slaves in this State for crimes, the punishment of which is not capital.

An act for the relief of Wm. Graham, and for other purposes.

An act to establish a ferry, and for other purposes.

An act to change the time of holding the Probate Court of Perry county.

An act to be entitled an act to establish a system of Common Schools in the counties of Newton and Clarke, approved March 10th, 1852, so far as relates to the county of Newton.

An act to be entitled an act to amend an act to promote Common Schools in the several counties of this State, approved March 9th, 1850, so far as relates to the county of Neshoba.

An act to incorporate the officers and members of the White Plains Lodge, No. 191, of Free and Accepted Masons, in the county of Newton.

An act to amend an act entitled an act to amend the several acts now in force concerning insolvent debtors, approved February 25th, 1842.

On motion,

The Senate took a recess until this evening at 7 o'clock, p. m.

EVENING SESSION—7 O'CLOCK, P. M.

The recess having expired, the Senate met.

On motion, a call of the Senate was had, and the absentees sent for.

Failing to obtain a quorum,

On motion of Mr. Hemingway,

The Senate adjourned until 9 o'clock, Monday morning.

MONDAY, FEBRUARY 27, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by Rev. Mr. Russell.

On motion of Mr. Berry,

A call of the Senate was had and the absentees sent for.

On motion of Mr. Reynolds, the further call of the Senate was suspended.

The Journal of Saturday was read.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled an act to legalize the lease of sec. 16, town. 12, range 5 east, in the county of Copiah, and for other purposes.

A bill to be entitled an act to legalize the lease of sec. 16, town. 10, range 21 west, in Simpson county.

A bill to be entitled an act in relation to the bonds of public officers, executors, administrators, and guardians, in the county of Simpson.

A bill to be entitled an act to establish a ferry across Yazoo river, at the residence of Rachel Byrnie, in the county of Sunflower.

A bill to be entitled an act to increase the per diem pay of the members of the Board of Police, of Attala county.

A bill to be entitled an act for the benefit of Sunflower county.

A bill to be entitled an act to provide for the further issue of Swamp Land Scrip, for the purpose of aiding in the completion of Levees upon the Mississippi river.

A bill to be entitled an act to amend an act entitled an act to establish a Court of Chancery in this State, and to prescribe the rules of proceedings therein, passed Nov. 27, 1821.

Which are herewith returned to the Senate.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act to reduce the fees of certain officers in the county of Coahoma.

And have amended the same.

In which the concurrence of the Senate is desired.

The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to amend the several acts in relation to Common Schools, so far as relates to the county of Jones.

A bill to be entitled an act to authorize the Board of Police of Green county, to employ some suitable person to index the Books and refile the papers in the offices of the clerks of the Circuit and Probate Courts of said county.

A bill to be entitled an act to authorize Archibald Johnson and others, therein named, to erect a Toll Bridge and Turnpike across Big Black.

A bill to be entitled an act to incorporate the Tippah county Plank Road Company.

A bill to be entitled an act to dispose of the estate of A. F. Blades, and for other purposes.

A bill supplemental to an act entitled an act to charter a Ferry across the Mississippi, at Vicksburg.

In which the concurrence of the Senate is desired.

Mr. Oliver moved that the journal be so amended, as to insert the names of those Senators present on Saturday evening; which was carried.

Mr. Panks moved a re-consideration of the vote just taken and carried.

Mr. Adams moved to lay the motion to correct the journal, on the table for the balance of the session ;

Which motion was adopted.

Mr. West gave notice that he would move a re-consideration of the vote taken on adopting the amendment offered by Mr. Adams, to the apportionment bill, on the table.

On motion, a call of the Senate was had, and the absentees sent for.

On motion of Mr. Koger, a further call of the Senate was suspended.

Mr. Webb, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—The committee on Engrossed Bills, have this day examined a bill to be entitled

An act to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad, in the State of Mississippi, and for other purposes ;

And have found the same correctly engrossed.

The Senate then proceeded to the consideration of the bill to aid in the construction of the New Orleans, Jackson, and Great Northern Railroad.

The bill was read the third time.

Mr. Johnston offered the following amendment, as an engrossed ryder.

Provided, that \$30,000 of the internal improvement fund shall be reserved for the purpose of improving the navigation of the Yazoo, Tallahatchie, Yallobusha, Sunflower, and Deer Creek rivers. And the Auditor of Public Accounts is hereby authorized to issue his warrant on the Treasurer in favor of treasurers of Yazoo, Holmes, Carroll, and Yallobusha counties, an equal share. The Boards of Police of each county are hereby authorized to appropriate, for the above said purposes, under a penalty of malfeasance in office, and are further authorized jointly to contract for the same, with the same powers as are extended to other corporated companies of this State.

Mr. Adams moved to lay the amendment on the table ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Adams, Alcorn, Acker, Beene, Bennett, Banks, Berry, Cobb, Farrar, Greer, Hemingway, Hough, Koger, McWillie, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart, and Webb—23.

NAYS—Messrs. Arthur, Ellett, Johnston, Monroe, and West—5.

Mr. Arthur offered the following engrossed ryder, as an amendment :

Amend by engrossed ryder, by additional section, as follows :

Be it further enacted, that the warrants on the treasury, provided for in this act, shall not be issued until the first day of Feb. 1856, the State Treasury not being in a condition at present to meet them, and the Legislature not being prepared, at this time, to levy the sum of about \$240,000 in taxes, in addition to the expenses of the State government, to comply with the provisions of this bill.

Mr. Acker moved to lay the amendment on the table ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Adams, Acker, Bennett, Banks, Greer, Hemingway, Hough, McWillie, Nelson, Pegues, Ramsay, Steele, Stuart, and West—15.

NAYS—Messrs. Alcorn, Arthur, Beene, Berry, Cobb, Ellett, Farrar, Graves, Johnston, Koger, Monroe, Oliver, Reynolds, and Webb—14.

Mr. Monroe offered the following amendment, as engrossed ryder :

Amend, by engrossed ryder, by additional section, as follows :

Be it further enacted, Provided, that a sum of money belonging to the internal improvement fund, not to exceed \$100,000, when collected, shall be reserved, subject to the requisition of the Governor, in favor of the Southern Railroad Company, in accordance with the provisions of an act to provide for taking stock for the State of Mississippi, in the various railroad companies in this State, approved March 16, 1852, by providing iron whenever ten miles of said road be ready therefor.

Mr. Acker moved the previous question ; which was carried.

The President then announced : “ Shall the main question be now put ? ” which was carried.

The question was then taken on the passage of the bill,

Which was decided in the affirmative, by ayes and nays, as follows :

AYES—Mr. President, Messrs. Adams, Acker, Bennett, Banks, Greer, Hemingway, Hough, McWillie, Nelson, Pegues, Ramsay, Steele, Stuart, and West—16.

NAYS—Messrs. Alcorn, Arthur, Beene, Berry, Cobb, Ellett, Farrar, Graves, Johnston, Koger, Monroe, Oliver, Reynolds, and Webb—14.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill entitled

An act to prevent the circulation of Bank Bills less than five dollars.

Mr. Ellett moved to amend the amendment, by striking out “ Life and General Insurance ; ”

Which was adopted.

The question was then taken on the adoption of the amendment, as amended,

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Arthur, Beene, Bennett, Banks, Berry, Ellett, Greer, Graves, Hemingway, Hough, Koger, Mc-Willie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Steele, Stuart, and Webb—22.

NAYS—Messrs. Adams, Acker, Cobb, Farrar, Johnston, Reynolds, and West—7.

Mr. Johnston offered the following amendment :

Be it further enacted, That if any person or persons shall be guilty of offering any paper money of other States, as a legal tender, in payment of any debt, obligation or execution, such person or persons shall be considered guilty of a high misdemeanor, and shall be subject to all the pains and penalties of counterfeiting, as is now declared by law. And said person or persons so offering any foreign bank paper money, of any other State, or country, shall forfeit twice the amount so offered, one half to go the informer, the other half to go to the treasurer of the county in which said offence was committed, to be equally appropriated to the various public schools of said county, and the various officers of the law are hereby required to proceed against such an offender as against other criminals, according to the provisions of this and the other criminal laws of the State.

Mr. Berry moved to lay the amendment on the table ;

And decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Beene, Bennett, Banks, Berry, Ellett, Farrar, Greer, Graves, Hemingway, Hough, Koger, Mc-Willie, Monroe, Nelson, Oliver, Pope, Pegues, Ramsay, Reynolds, Steele, Stuart, West, and Webb—24.

NAYS—Messrs. Adams, Acker, Arthur, Cobb, and Johnston—5.

Mr. Johnston moved the indefinite postponement of the bill and substitute ; which motion was lost.

Mr. Berry moved that the substitute offered by the committee, be laid on the table ; which motion was carried.

Mr. Oliver moved to strike out the 2d section, and insert one in lieu thereof ; which was carried.

Mr. Arthur offered the following amendment :

Strike out all after the first section, after the enacting clause, and insert :

That for the purpose of more effectually establishing a specie currency, and protecting the citizens of this State from an irredeemable currency, it shall not be lawful for any person or persons to circulate, or pass, or offer to pass, in this State, any bank bill, or certificate of deposit, of any denomination or description whatever, made for the purposes of circulation, of any incorporated company, or company purporting to be incorporated, in or out of the State of Mississippi.

Mr. Berry moved to lay the amendment on the table ;

Which was decided in the affirmative, by ayes and noes, as follows :

AYES—Mr. President, Messrs. Beene, Bennett, Banks, Berry, Ellett, Greer, Graves, Hough, Koger, McWillie, Nelson, Oliver, Pegues, Ramsay, Reynolds, Steele, Stuart, and Webb—19.

NAYS—Messrs. Adams, Acker, Arthur, Cobb, and Hemingway—5.

On motion of Mr. Greer, the bill was made the special order for to-morrow at 11 o'clock.

The Senate then took up the Senate bill granting the right of way to the Memphis and Charleston Railroad Company.

Mr. Greer moved to amend, by inserting "the 30th January," instead of the "20th," in 5th line, in amendment of the House.

Mr. Johnston moved the previous question ;

Which motion was lost.

The amendment of Mr. Greer was then adopted.

Mr. Acker offered the following amendment to the amendment of the House :

Provided, That before any right or privilege conferred by this act, shall take effect, the Legislature of the State of Alabama shall grant to the New Orleans, Jackson and Great Northern Railroad Company, the unrestricted right of way through the territory of said State, from the Mississippi State line, to the Tennessee river, and shall also grant to the railroad company incorporated by the Legislature of the State of Tennessee, the unrestricted right of way from the Tennessee river, in Alabama, to the State line of Tennessee.

Mr. Reynolds moved to lay the amendment of Mr. Acker on the table.

On motion of Mr. Greer, the Senate concurred in the amendment made by the House, as amended by the Senate.

Mr. Reynolds, from a select committee, made the following report, which was received and agreed to.

MR. PRESIDENT—The select committee on temperance, to whom was referred

An act supplementary to an act entitled an act to regulate the granting of licenses to retail Vinous and Spiritous Liquors,

Have had the same under consideration, and have made an amendment thereto, and have instructed me to report the same back, as amended, and recommend that the same do pass.

Mr. Arthur offered the following amendment .

Amend the first section, by striking out "500," in the 10th and 11th lines, and insert "1,000," as the penalty of the bond.

Also, add, after the word "town," in the 25th line, and insert the following :

—Or appropriated to the city hospitals, in Yazoo City, Natchez, and Vicksburg, as licenses and fines are now required, by existing laws, to be appropriated.

Mr. Beene moved to amend the amendment of the committee, by striking out the first section of the amendment; which was carried.

Mr. Johnston moved to amend as follows:

And all liquors hereafter sold shall be labelled "unadulterated;" which was lost.

Mr. Pettus moved to indefinitely postpone the whole subject;

And decided in the affirmative, by ayes and noes, as follows:

YEAS—Mr. President, Messrs. Alcorn, Acker, Beene, Banks, Berry, Cobb, Ellett, Graves, Hough, Johnston, Monroe, Nelson, Pegues, Reynolds, Steele, Stuart, and West—18.

NAYS—Messrs. Adams, Arthur, Bennett, Farrar, Hemingway, Koger, McWillie, Oliver, Ramsay, and Webb—10.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles:

An act to amend an act to incorporate the De Soto Pigeon Roost Plank Road Company, approved March 15, 1852.

An act to create in the University of Mississippi a professorship of governmental science and law.

An act to extend the corporate limits of the town of Holly Springs.

A resolution in relation to the Attorney General.

An act to incorporate Ellisville Lodge No. 161, of Free and Accepted Masons, and for other purposes.

A resolution in relation to the officers of the Land Office.

An act to authorize the North-east and South-west Alabama Railroad Company to extend their railroad from the west boundary line of the State of Alabama, to any point on the Mobile and Ohio Railroad, in the State of Mississippi.

An act granting the right of way through the State of Mississippi, and other privileges, to the Saint Louis, Helena, and New Orleans Railroad.

An act to reduce the fees of the sheriffs and Probate clerks of Leake and Attala counties, and for other purposes.

An act to change the time of holding the Probate Court of Leake county.

A resolution in relation to John Morris.

A resolution in relation to the Auditor of Public Accounts.

An act to incorporate the Port Gibson and Homochitto Plank Road Company.

An act to incorporate the Byhalia Female Seminary.

An act to change the line between Lafayette and Marshall counties.

Mr. Ellett, from the committee on the Lunatic Asylum, reported a bill to be entitled

An act to provide for completing and furnishing the State Lunatic Asylum ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. West,

The Senate took a recess until 3 o'clock, this afternoon.

AFTERNOON SESSION, 3 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Webb moved to postpone the further consideration of the bill in relation to the Lunatic Assylum ;

Which was lost..

A suspension of the rule was called for, that the bill might be read a third time ;

Which was lost.

Mr. Webb moved that the bill apportioning the State, be taken up ;

Which was decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pope, Pegues, Steele, and Webb—12.

NAYS—Messrs. Adams, Arthur, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, and Stuart—13.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act to incorporate Cooper's Well Company, in the county of Hinds.

An act to incorporate the Holly Springs and Hickory Flat Plank or Turnpike Road Company—the Chulahoma and Holly Springs Plank or Turnpike Road Company, and the Holly Springs and Byhalia Plank or Turnpike Road Company ;

An act amendatory of an act entitled an act to incorporate Maple Springs Male Academy, in Tippah county, approved February 28, 1852, and for other purposes.

An act for the relief of N. R. Sledge and W. D. Sledge.

An act to authorize the Secretary of State to transcribe into new and separate books, the Internal Improvement, and Chickasaw School lands.

An act to authorize and require the Board of Police of Scott county to apportion the School Fund of said county among the police districts thereof and for other purposes.

An act to incorporate Carrollville Lodge No. 108, of Ancient

Free and Accepted Masons, in the town of Carrollville, Tishemingo county.

An act supplemental to an act for improving the navigation of Little Deer Creek, in Issaquena county.

An act to change the name of Matilda Catharine Harris to Matilda Catharine Sanders, and for other purposes.

An act for the relief of Jefferson L. Wofford, of Holmes county.

An act to incorporate the officers and members of Friendship Lodge, No. 127, of Free and Accepted Masons, in the county of Panola, and for other purposes.

An act to provide for the construction and keeping in repair the public roads in Tunica county.

An act to authorize the Board of Police of Tunica county to increase the county tax.

An act to repeal an act passed March 4, 1850, in relation to the town of Holmesville, in the county of Pike.

An act for the relief of Wm. Winston.

An act to diminish the length of the terms of the Circuit Court of Madison county, and to detach Sunflower county from the third, and add it to the fifth Judicial district.

An act for the relief of the heirs of Wiley B. Terry, deceased.

An act to incorporate Hillsborough Branch Railroad Company.

An act to amend an act to incorporate the town of Panola, in Panola county.

An act to encourage and establish a manufactory of Clocks in the State of Mississippi.

An act to incorporate the Tunica and Helena Plank or Turnpike Road.

An act to provide for the transcribing of the Records of the Circuit and Probate Courts of Smith county.

An act to establish a system of common schools, in the county of Tishemingo.

An act to amend an act entitled an act to incorporate the Southern Scientific Institute.

An act to amend the act heretofore in force in this State, granting commissions to Guardians, Executors and Administrators, &c.

An act to increase the per diem pay of members of the Board of Police of Newton county, and for other purposes.

An act to amend an act granting the right of way through the State of Mississippi, and other privileges, to the N. Orleans, Jackson and Great Northern Railroad Company, approved March 11, 1852.

An act to incorporate the New Orleans and New York Railroad Company.

Mr. Adams presented the memorial of W. Anthon and William Curtis Noyes, with a bill to be entitled an act granting to the New York Law Institute, copies of the Laws of the State of Mississippi ;

Which was read the first time.

The question was taken on the appeal taken by Mr. Bennett, from the decision of the Chair, in relation to the supplemental bill introduced by him, to the bill districting the State, the decision of the Chair was sustained by ayes and noes, as follows :

AYES—Adams, Arthur, Alcorn, Beene, Banks, Berry, Cobb, Farrar, Greer, Johnston, Koger, Nelson, Oliver, Pegues, West, and Webb—16.

NAYS—Messrs. Acker, Bennett, Ellett, Graves, Hough, McWillie, Monroe, Ramsay, Steele, and Stuart—10.

Mr. West called up House bill entitled

An act to annex a part of Tallahatchie county to the county of Sunflower.

Which was read the second time.

Mr. Alcorn offered the following amendment :

Be it further enacted, that all that portion of Tunica county, in this State, lying and being in the Choctaw district, be, and the same is hereby added to Coahoma county, and that hereafter the line between the Choctaw and Chickasaw cessions be the line between said counties.

The question was taken on the adoption of the amendment, and lost.

Mr. Alcorn offered the following amendment :

Be it further enacted, that it shall be the duty of the President of the Board of Police of said county of Tallahatchie, to order an election to be held as are held other elections for county purposes, on the first Monday in May next, for the purpose of submitting the question of division to the people of said county ; at which election, the question shall be propounded to the voter, "are you in favor of the division of Tallahatchie county ?" and if it should appear, that a majority of the people of said county are opposed to said division, then, and in that case, the provisions of the foregoing act shall be non-operative.

Mr. West moved to lay the amendment on the table ;

Which was decided in the negative, by ayes and noes, as follows :

YEAS—Messrs. Beene, Banks, Farrar, Hemingway, Johnston, Koger, Monroe, Nelson, Pope, Pegues, Steele, West and Webb—13.

NAYS—Mr. President, Messrs. Adams, Alcorn, Bennett, Berry, Cobb, Ellett, Greer, Graves, Hough, McWillie, Oliver, Ramsay, and Stuart—14.

Mr. West offered the following amendment to the amendment :

Strike out "county," and insert "three-fourths of the people residing in the district proposed to be detached."

The question was taken on the adoption of the amendment to the amendment, and decided in the affirmative.

The question was taken on the adoption of the amendment, as amended, and lost.

Mr. Alcorn moved to indefinitely postpone the bill ;

Which was decided in the negative, by ayes and noes, as follows :

YEAS — Mr. President, Messrs. Alcorn, Ellett, Greer, Hough, McWillie, Nelson, Oliver, Ramsay, and Stuart—10.

NAYS — Messrs. Adams, Arthur, Beene, Banks, Cobb, Farrar, Hemingway, Johnston, Koger, Monroe, Pope, Pegues, Steele, West, and Webb—15.

On motion of Mr. Greer, the bill was made the order of the day for to-morrow.

Mr. Webb offered the following resolution :

Resolved, That hereafter the apportionment bill be taken up each morning, immediately after the reading of the journal, until disposed of.

The ayes and noes being called for, on the adoption of the resolution, are as follows :

YEAS—Mr. President, Messrs. Alcorn, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, West, and Webb—12.

NAYS—Messrs. Adams, Arthur, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay, and Stuart—13.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled

An act making provision for the repair of the Capitol and Executive mansion, and for other purposes ;

And have amended the same.

In which the concurrence of the Senate is desired.

The House of Representatives have passed a bill of the following title :

A bill to be entitled an act to authorize the Trustees of the Institution for the Instruction of the Blind to purchase a lot of ground adjoining said Institution.

In which the concurrence of the Senate is desired.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to amend an act, approved 20th October, 1852, in relation to the treasurer of Lowndes county.

An act to extend the provisions of an act to incorporate the town of Oxford.

An act to incorporate the Camargo Branch Railroad Company.

An act to amend an act entitled an act to incorporate Wilkey Lodge No. 21, of I. O. O. F., in the city of Aberdeen.

An act to incorporate a manufacturing company, in the town of Camargo.

A resolution in relation to the office of Clerk.

An act to amend an act entitled an act for the benefit of the State University, approved Oct. 21, 1852.

An act to incorporate the Chulahoma and Byhalia Plank Road Company.

An act to incorporate the Aberdeen Fire Company, No. 1, in the City of Aberdeen.

An act for the relief of the next of kin of Martin J. Malloy, deceased.

An act further to amend an act entitled an act to incorporate the Mississippi Central Railroad Company, approved March 10th, 1852.

An act to incorporate the South-western Air Line Extension Railroad Company.

An act regulating the prosecution and trial of slaves in this State, for crimes the punishment of which is not capital.

An act to incorporate the town of Ocean Springs, in Jackson county.

On motion of Mr. Greer,

The Senate took a recess until this evening at 7 o'clock.

EVENING SESSION, 7 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Berry called up House bill entitled

An act to incorporate the Tippah County Plank Road Company;
Which was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Berry called up House bill to be entitled

An act to incorporate Westminster Academy, in the county of Tippah ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit :

An act to encourage and establish a manufactory of clocks in the State of Mississippi.

An act to amend an act to incorporate the town of Panola, in Panola county.

An act to incorporate Hillsborough Branch Rail Road Company.

An act for the relief of the heirs of Wiley B. Terry, deceased.

An act to diminish the length of the terms of the Circuit Court of Madison county, and to detach Sunflower county from the third and add it to the fifth Judicial District.

An act for the relief of William Winston.

An act to repeal an act passed March 4th, 1850, in relation to the town of Holmesville, in the county of Pike.

An act to authorize the Board of Police of Tunica county to increase the county tax.

An act to provide for the construction and keeping in repair the public roads in Tunica county.

An act to incorporate the officers and members of Friendship Lodge, No. 127, of Free and Accepted Masons, in the county of Ponola, and for other purposes.

An act for the relief of Jefferson L. Wofford, of Holmes county.

An act to change the name of Matilda Catharine Harris to Matilda Catharine Saunders, and for other purposes.

A supplemental act for improving the navigation of Little Deer Creek in Issaquena county.

An act for the relief of Kitty and John Curran, jr.

An act to incorporate Carrollville Lodge, No. 108, of Ancient, Free and Accepted Masons, in the town of Carrollville, Tishomingo county, Miss.

An act to authorize and require the Board of Police, of Scott county, to apportion the school fund of said county among the Police districts thereof, and for other purposes.

An act authorizing the Secretary of State to transcribe into new and separate books the Internal Improvement and Chickasaw School lands.

An act amendatory of an act to incorporate Maple Springs Male Academy, in Tippah county, approved February 28th, 1852, and for other purposes.

An act for the relief of N. R. Sledge and Wm. D. Sledge.

An act to amend an act heretofore in force in this State, granting commissions to guardians, executors, administrators, &c.

An act to amend an act entitled an act to incorporate the Southern Scientific Institute.

An act to increase the per diem pay of members of the Board of Police of Newton county, and for other purposes.

An act to amend the act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson and Great Northern Rail Road Company, approved March 11th, 1852.

An act to incorporate the New Orleans and New York Rail Road Company.

An act to incorporate the Holly Springs and Hickory Flat Plank or Turnpike Road Company, the Chulahoma and Holly Springs

Plank or Turnpike Road Company, and the Holly Springs and Byhalia Plank or Turnpike Road Company.

An act to incorporate Cooper's Wells Company, in the county of Hinds;

And found the same correctly enrolled.

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his signature and approval, bills of the following titles, to-wit:

An act to encourage and establish a manufactory of clocks in the State of Mississippi.

An act to amend an act to incorporate the town of Panola, in Panola county.

An act to incorporate Hillsborough Branch Rail Road Company.

An act for the relief of the heirs of Wiley B. Terry, deceased.

An act to diminish the length of the terms of the Circuit Court of Madison county, and to detach Sunflower county, from the third and add it to the fifth Judicial District.

An act for the relief of William Winston.

An act to repeal an act passed March 4th, 1850, in relation to the town of Holmesville, in the county of Pike.

An act to authorize the Board of Police of Tunica county to increase the county tax.

An act to provide for the construction and keeping in repair the public roads in Tunica county.

An act to incorporate the officers and members of Friendship Lodge, No. 127, of Free and Accepted Masons, in the county of Panola, and for other purposes.

An act for the relief of Jefferson L. Wofford, of Holmes county.

An act to change the name of Matilda Catharine Harris to Matilda Catharine Saunders, and for other purposes.

A supplemental act for improving the navigation of Little Deer Creek in Issaquena county.

An act for the relief of Kitty and John Curran, jr.

An act to incorporate Carrollville Lodge, No. 108, of Ancient Free and Accepted Masons, in the town of Carrollville, Tishomingo county, Mississippi.

An act to authorize and require the Board of Police of Scott county to apportion the school fund of said county among the Police Districts thereof, and for other purposes.

An act authorizing the Secretary of State to transcribe into new and separate books, the Internal Improvement and Chickasaw School lands.

An act amendatory of an act to incorporate Maple Springs Male Academy in Tippah county, approved February 28th, 1852, and for other purposes.

An act for the relief of N. R. Sledge, and Wm. D. Sledge.

An act to amend an act heretofore in force in this State granting commissions to guardians, executors, administrators, &c.

An act to amend an act entitled an act to incorporate the Southern Scientific Institute.

An act to increase the per diem pay of members of the Board of Police, of Newton county, and for other purposes.

An act granting the right of way through the State of Mississippi and other privileges to the New Orleans, Jackson and Great Northern Rail Road Company, approved March 11th, 1852.

An act to incorporate the New Orleans and New York Rail Road Company.

An act to incorporate the Holly Springs and Hickory Flat Plank or Turnpike Road Company, the Chulahoma and Holly Springs Plank or Turnpike Road Company.

An act to incorporate Cooper's Well Company, in the county of Hinds.

Mr. Arthur called up House bill entitled,

An act in relation to landlord and tenant in the City of Vicksburg and the county of Warren, and for other purposes;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Arthur, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act to amend the laws in reference to strays, and the office of Ranger, in the county of Warren;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act for the benefit of Indiana Burnet, of Warren county;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur introduced a bill entitled,

An act to authorize the City of Vicksburg to subscribe for stock in the Vicksburg, Shreveport and Texas Rail Road Company, and to submit the question to the voters of said city;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur introduced a bill entitled,

An act for the relief of Harry W. Green, Willis Bonner, and Calvin H. Moore, of Warren county ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second time.

Mr. Ellett moved to insert the name of James W. McClure ;

Which was adopted.

Mr. Adams moved to insert the name of William Ratcliff, of Hinds county ;

Which was adopted.

Mr. Koger moved to insert the name of John W. Sale, of Noxubee county :

Which was adopted.

Mr. Banks moved to insert the name of H. George Walker, of Copiah county ;

Which was adopted.

Mr. Acker moved to insert the names of Austin Pollard and Timothy L. Rogers, of Monroe county ;

Which was adopted.

Mr. Webb moved to insert the name of Gwin R. Cherry, of Pontotoc county ;

Which was adopted.

Mr. Alcorn moved to insert the name of George Johnston, of Coahoma county ;

Which was adopted.

Mr. Farrar moved to insert the name of Dudley W. Warren, of Natchez ;

Which was adopted.

The bill was then ordered to be engrossed, and made the order of the day for 11 o'clock, to-morrow.

Mr. Arthur called up House bill entitled,

An act supplemental to an act to charter a ferry at Vicksburg, &c., &c. ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Johnston called up House bill entitled,

An act for the benefit of Thomas Shelby, late tax collector of Washington county ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Johnston called up House bill entitled,

An act to amend the 4th section of an act to provide for the leveeing the Mississippi river, in the county of Bolivar, so far as relates to the county of Washington ;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to incorporate Newton College ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to change the name of Eveline Deloach Ligon to that of Eveline Deloach McNulty;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to amend an act incorporating the town of Woodville, in the county of Wilkinson ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, and the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to incorporate Newton Lodge, No. 51, I. O. O. F., in the county of Wilkinson ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act granting leave of absence from this State to the Hon. Stanhope Posey, Circuit Judge of the first Judicial District, and for other purposes ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to incorporate the Rector, Church Warden and Vestrymen of St. Paul's Church, at Woodville ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to establish a system of schools in Franklin county ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to amend the charter of Jefferson College;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Farrar called up House bill entitled,

An act to dispose of the estate of A. F. Blades;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Koger called up House bill to be entitled,

An act to incorporate the town of Winstonville, in the county of Winston;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock.

TUESDAY, FEBRUARY 28, 1854.

The Senate met pursuant to adjournment,

And was opened with prayer by the Rev. Mr. Lambuth.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act amendatory of the Revenue Laws of the State, and for other purposes.

A bill to be entitled an act to secure the titles on sales for Levee Taxes.

In which the concurrence of the Senate is desired.

Mr. Ramsay moved a re-consideration of the vote taken on yesterday on the adoption of the amendment made to the amendment of the House, to the bill granting the right of way to the Memphis and Charleston Railroad;

Which was carried.

On motion of Mr. Reynolds, the Senate concurred in the amendments made to the bill by the House.

On motion of Mr. Berry, the Senate concurred in the first amendment made by the House, to the bill regulating the rate of interest.

On motion of Mr. Berry, the Senate disagreed to the second amendment made by the House.

On motion of Mr. Berry, the Senate concurred in the third amendment made by the House.

Mr. West introduced the following resolution, which was adopted:

Resolved, That 500 copies of the detailed report of the Secretary of State, (in answer to a resolution of the House of Representatives,) in relation to the swamp and overflowed lands, the Chickasaw school lands, and the internal improvement lands, be printed for the use of the Senate.

[See Appendix.]

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT.—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles:

An act in relation to the bonds of public officers, executors, administrators, and guardians, in the county of Simpson.

An act to legalize the lease of sec. 16, town. 10, range 21 west, in Simpson county.

An act to legalize the lease of section 16, township 12, range 5 east, in the county of Covich, and for other purposes.

An act to amend an act entitled an act to establish a Court of Chancery in this State, and to prescribe the mode of proceeding therein, passed 27th Nov., 1821.

An act for the relief of James H. Yerger.

An act to remove the Vice Chancery Court from Columbus to Macon, in Noxubee county.

An act for the relief of James T. Rucks.

An act to incorporate the Deer Creek and American Bend Railroad Company, and for other purposes.

And have found the same correctly enrolled.

Mr. Graves presented the petition of the students of Zion Seminary, with a bill entitled an act to prohibit the sale or distribution of vinous or spiritous liquors, within four miles of Zion Seminary;

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Graves, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Beene, from the committee on the Judiciary, made the following report:

MR. PRESIDENT—The committee on the Judiciary, have had under consideration a bill to be entitled an act to amend the several attachment laws of this State, and have adopted an amendment thereto, which is herewith submitted, and have instructed me to report back said bill and amendment, and recommend the passage thereof.

The question was taken, on the adoption of the amendments, made by the committee to the bill, and adopted.

The bill was then read the third time and passed.

Mr. Beene moved to amend the title, which was adopted.

Ordered, That the title of the bill stand as stated.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to transmit to the Senate a message in writing, with accompanying reports, in relation to the acts and doings of the Levee Commissioners of the counties of Bolivar, Coahoma, Tunica, and De Soto, in accordance with a resolution of the Senate.

I am also instructed by his Excellency, to transmit to the Senate, a message with accompanying documents in relation to remitting a forfeiture against Wm. M. Brown, of Coahomo county.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act for the appointment of the necessary officers, to take charge of the State Lunatic Asylum, and for other purposes.

A bill to be entitled an act to amend an act entitled an act to change the forms of pleading in the Circuit Courts of this State.

In which the concurrence of the Senaté is desired.

Mr. Arthur, from the committee on the Penitentiary, made the following report, which was adopted :

MR. PRESIDENT—The joint standing committee on the Penitentiary, in obedience to a resolution instructing them to inquire into the expediency of changing the mode of conveying convicts to the Penitentiary, have had the same under consideration, and instructed me to report the following bill, and recommend its passage.

The bill was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

Mr. Graves offered the following amendment, which was adopted :

Amend, by adding after the words, "his order, which shall be signed by the Superintendent, and by the Governor, with the seal of the State of Mississippi."

Mr. Arthur, from the committee on the Penitentiary, made the following report, which was received and agreed to.

MR. PRESIDENT—The joint standing committee on the Penitentiary, having completed their labors, beg leave to report—

That they have visited the Institution at various times, during the present session of the Legislature, and feel gratified in being able to say, that they have found the Penitentiary in a very prosperous condition.

The health of the prisoners was never better than at the present time, and also during the past two years, with the exception of the two months of September and October, during the prevalence of yellow fever; and notwithstanding the great mortality in the city, and that there were several violent cases also in the Institution, only two deaths occurred from this disease. The utmost cleanliness is observed throughout the establishment. The cells are comfortably provided with good beds and bedding, and divine service is regularly held on the Sabbath. Some of the prisoners manifest much interest in listening to their chaplain, and many have made considerable progress in learning to read and write. Good subordination seems to have existed, with but few exceptions; only two of the prisoners have endeavored to make their escape from the walls, during the past two years; one of whom was killed by the guard, justifiably, as your committee believe, as he was sufficiently admonished and warned not to go out, and only shot, in the end, to prevent entire escape. The other was retaken in the vicinity, and is now in prison. Your committee think it was not intended by the framers of the Penitentiary system, to permit out-door labor by the convicts; yet the custom has been sanctioned by the Legislature since the establishment of the Institution.

The machinery is all in good condition, and much credit is due to Mr. Evans and Mr. Pool, who attend to this branch of the public service, as well as to Mr. Swann, the excellent Superintendent who has secured their services. The additional looms, and other machinery, required to be purchased at the October session, 1852, have all been obtained, and are now in the most successful operation, manufacturing a large additional amount of goods, all of which meets a ready sale in this and other markets. The looms and machinery now in operation, will turn out for sale one-third more goods, annually, than have ever before been manufactured since the Institution was first established.

The Superintendent has purchased his annual supply of cotton and paid for the same out of money in his hands belonging to the Institution, without drawing a dollar from the public treasury; all the supplies are now purchased and paid for by him. So that the establishment is now no longer an expense to the State, but a source of considerable revenue.

The newly built part of the main front building, as well as the older portions of it is rapidly giving way and decaying. The walls throughout are cracking and separating, and the entire

building is in such a condition that it cannot longer remain without considerable repairs, and in all probability will have soon to be entirely rebuilt. A portion of the front building is necessary for hospital accommodations, and especially during the prevalence of epidemics, such as existed during the last summer and fall. The narrow cells in which the prisoners are confined, are not suitable places for medical attention; and some repairs are indispensable to render at least a few of the rooms, not only safe but suitable, for the treatment of diseased persons.

The committee find that the Physician to the Penitentiary has been faithful in the discharge of his duties, and in every way attentive to the wants of the sick, especially during the prevalence of yellow fever. And that much credit is due to him, as well as to the able and accomplished Superintendent, for his prompt and constant attention to the unfortunate inmates in the Penitentiary at that alarming time. The Superintendent, and nearly all the officers of the Institution, with a praiseworthy and commendable devotion to their duty, and to the public interest, remained at their posts during the whole of the epidemic, although much exposed to the disease themselves.

After a thorough investigation into the receipts and disbursements made by the Superintendent, Mr. Swann, up to the first day of February, 1854, the committee take pleasure in bearing testimony to the entire accuracy in all his transactions; not an error having been discovered in all his books and vouchers. His monthly settlements appear to have been promptly made with the Board of Inspectors, as required by law, and the utmost economy appears to have been observed in all his dealings. The balances reported by him to the Legislature, are in accordance with his books and vouchers, and are strictly correct.

The clerk's office and books have been also examined, and found correct, with the exception of the sum of three dollars; the amount charged by the clerk, to the Superintendent, in July, 1852, being 20 cents instead of three dollars and 20 cents, being the receipt from the shoe shop. The amount has been corrected and charged to the Superintendent.

Your committee have also had under consideration, the laws in relation to conveying convicts from the different counties in the State, to the Penitentiary, and believing that the present mode is attended with much expense upon the Treasury, that might otherwise be saved, without incurring any greater risk of having criminals to escape, would recommend the passage of a law making it the duty of the Superintendent, upon proper notification, forthwith to send a sergeant of guard with a sufficient number of subordinate guards, and vehicles, to convey all convicts from the jails or counties in which such convicts may be, to the Penitentiary, without any additional charge over and above their regular salary,

save what the necessary and unavoidable expenses of travelling may be.

In order to carry out the suggestions above made, your committee would recommend a small addition to the number of regular guards, and also an increase of the salaries of the guards. Their compensation has been thirty dollars per month, from the foundation of the Institution; and although the Superintendent has heretofore been fortunate in securing the services of competent and efficient men, he now finds great difficulty in doing so. For a considerable portion of the year this amount is readily obtained for slave labor and the services of competent and reliable men cannot now be had at that rate. Without an increase of salary, great injury may result.

In view of the fact, also, that the Institution is now yielding a large profit to the State over and above its expenses, and that large sums of money may accumulate upon the hands of the Superintendent, your committee would recommend that provision be made, by law, requiring the Superintendent, as often as may be necessary, to report to the State Treasurer, the amount of money received and disbursed from time to time of said reports, and on what account; and to pay over to the Treasurer, and take his receipt therefor, at the time of making each report, all balances then in his hands, or excepting only so much as your honorable body may think proper, for the purpose of meeting contingent expenses; and that whenever it may be necessary for the Superintendent to have more money than he has in his own hands, for the purpose of purchasing stock or supplies, or meeting any other expenses, it shall only be drawn from the State Treasury by an order of the Board of Inspectors, certified by the clerk, and countersigned by the Superintendent, stating the amount so to be drawn, and for what purposes to be appropriated.

Your committee, after making a thorough examination of the building of the Penitentiary, together with the books and accounts of the Superintendent and clerk, and the rules and regulations governing the same, as stated in the above report, have prepared a bill, with such provisions as they deem necessary, for the better regulation of the Institution, in carrying out the views above suggested, and for making such repairs as are now considered indispensable, and would recommend to your honorable body its favorable consideration; and, in conclusion, ask to be discharged from further labors.

The bill was read the first time.

On motion of Mr. Arthur, the rule was suspended, and the bill read the second time by title.

Mr. Bennett offered the following amendment, which was lost:

That hereafter the salary of the Superintendent shall be \$2,000, instead of \$1,500, as now provided by law.

On motion of Mr. Arthur, the rule was again suspended, and the bill was read the third time, and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Pegues, the Senate concurred in the amendment made by the House to a Senate bill in relation to the printing of the first annual report of the Agricultural and Geological survey of the State.

On motion of Mr. McWillie, the Senate concurred in the amendment made by the House, to the Senate bill, to prevent the sacrifice of real estate sold under execution, decrees in Chancery, and deeds of trusts, passed 26th Feb., 1842.

Mr. Ellett, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred House bill entitled an act to amend the several statutes of limitation, now in force in this State, have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do pass.

The bill was read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives by their clerk, E. P. Russell :

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles :

An act for the relief of James T. Rucks.

An act to legalize the lease of sec. 16, town. 12, range 5 east, in Copiah county.

An act to remove the Vice Chancery Court, from Columbus to Macon, in Noxubee county.

An act for the relief of James H. Yerger.

An act to incorporate the Deer Creek and American Bend Railroad Company, and for other purposes.

An act to legalize the lease of sec. 16, town. 10, range 21 west, in Simpson county.

An act in relation to the bonds of public officers, executors, administrators, and guardians, in Simpson county.

An act to amend an act entitled an act to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein, passed Nov. 27, 1821.

Which are herewith presented to the Senate for the signature of the President.

Mr. Ellett, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred House bill entitled an act to authorize aliens to acquire and hold real estate, in the State of Mississippi, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

The bill was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred House bill entitled an act to authorize the clerks of the Circuit and Probate Courts of this State to administer oaths, have had the same under consideration, and have instructed me to report the same with sundry amendments.

The amendments made by the committee to the bill were then adopted.

The bill was then read the third time and passed, as amended.

Ordered, That the title thereof stand as stated.

Mr. Ellett, from the same committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred House bill entitled an act for the better protection of securities in this State, have had the same under consideration, and have instructed me to report the same back with sundry amendments thereto.

The amendments made by the committee to the bill were adopted.

Mr. Cobb moved to strike out the 2nd section of the bill ;

Which was adopted.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit.:

An act to amend an act heretofore in force in this State granting commissions to guardians, executors, administrators, &c.

An act to amend an act entitled an act to incorporate the Southern Scientific Institute.

An act to increase the per diem pay of members of the Board of Police of Newton county, and for other purposes.

An act to amend the act granting the right of way through the State of Mississippi, and other privileges, to the New Orleans, Jackson and Great Northern Rail Road Company, approved March 11th, 1852.

An act to incorporate the New Orleans and New York Rail Road Company.

Mr. Ellett called up Senate bill entitled an act for completing and furnishing the State Lunatic Asylum.

Mr. Johnston moved to amend as follows, which was lost :

That the amount of money hereby appropriated shall be disbursed as follows : One-half paid down, the other half in twelve months or after.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Bennett, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee to whom was referred the petition of sundry citizens of the town of Brandon, praying the passage of an act prohibiting the sale of vinous and spiritous liquors in said town in less quantities than fifteen gallons, have had the same under consideration, and have instructed me to report that in the opinion of the committee, it is inexpedient at the present time to legislate upon the subject, and ask to be discharged from the further consideration of the same.

Mr. Ramsay, from a select committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The select committee to whom was referred the petition of the President and Selectmen, and other citizens of the town of Biloxi, have had the same under consideration, and have instructed me to report the bill herewith submitted, and recommend its passage.

The bill was read the first time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up House bill entitled,

An act for the appointment of the necessary officers to take charge of the State Lunatic Asylum, and for other purposes ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ellett, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Arthur, the Governor's message was taken up in relation to the report of the Levee Commissioners, and five hundred copies of the message and reports ordered to be printed.

EXECUTIVE OFFICE, February 28, 1854.

To the Senate:

In pursuance of a resolution of the Senate requesting the Governor "to furnish the Legislature all the information he may have, possesses, or can procure, in relation to the disposition by the Levee Commissioners of the counties of Bolivar, Coahoma, Tunica and Desoto, of Levee Scrip issued to said counties, and also the disposition made of the money secured from the sale of the 60,000 acres of the Internal Improvement Lands," I herewith transmit to the Senate the original reports made to the Governor by the Levee Commissioners of the counties of Coahoma and Bolivar, respectively. These embrace all the information in my possession, or which can be procured by me, on this subject. No reports have yet been made to me by the Levee Commissioners of Tunica and Desoto. This communication would have been made earlier, but has been delayed with the hope of placing before the Legislature the reports from all the counties embraced in the Senate resolution. The reports submitted give a detailed statement of the disbursements and proceedings of the Commissioners in their respective counties.

Very respectfully,

JOHN J. McRAE.

*To the Board of Levee Commissioners of
Coahoma County, Mississippi:*

In pursuance of an order of your Board, I herewith make a report of the cost of the Levee from the Southern boundary of Tunica county to the Northern boundary of Bolivar county. The line of Levee is described by districts, with the cost of the Levee in each district attached.

District No. 1, commencing at the Southern line of Tunica county, to the Yazoo Pass, including the Pass: Messrs. Thompson, Ford and Powell, contractors; cost of the Levee, all now complete, forty-six thousand dollars; thirty-eight thousand dollars have been paid them, leaving a balance due them of eight thousand dollars. It is proper to remark here, that from a wash made around the end of the Levee in the Pass last winter and spring, the above Levee has cost ten thousand dollars more than it would have cost had the wash not taken place. The distance of the above Levee is six miles.

District No. 2, commencing at the Yazoo Pass and ending at Port Royal, distance fifteen miles; contractors, Aaron Shelby, M. L. Maynard, John A. Clark, George N. Saunders, John G. Miller, and Ornick & Lafferty; all now complete except about two miles of Aaron Shelby's contract, which will be completed by the 1st day of March; the sum of thirty-five thousand eight hundred dollars has been paid to the contractors; the cost of said Levee when completed in said district will amount to the sum of forty-nine thousand eight hundred dollars, leaving a balance of fourteen thousand dol-

lars due said contractors. In this district there is some very heavy Levee, across the low lands of the east fork or branch of Sunflower river.

District No. 3, commencing at Port Royal and ending at Ritchie's Bayou, distance six miles; contractors, Thomas Butler, Aaron Shelby, and Peter Wilkerson; one mile and a half of which is completed. The sum of seven thousand dollars has been paid the contractors; the cost of said Levee in this district when completed will be twenty-seven thousand dollars, leaving due the contractors twenty thousand dollars; four miles in this district is large Levee; including two Bayous.

District No. 4, commencing at Ritchie's Bayou and ending at Lumsford's road—distance twenty-one miles; contractors, Peter Wilkerson, Solomon M. McCloud, Temple Stewart, Enoch Eusley, P. M. Grant, and A. M. Stewart, fourteen miles of which is completed; the sum of seventy-one thousand five hundred dollars have been paid to the contractors; the cost of said Levee in this district will be one hundred thousand dollars, leaving a balance due said contractors of twenty-eight thousand five hundred dollars. In this district there are three large Bayous to be leveed, and five miles of very heavy levee, from eight to fifteen feet high; three miles is through the low lands of the west branch of Sunflower river.

District No. 5, commencing at Lumsford's Road and ending at the Northern line of Bolivar county; the distance is fifteen miles; contractors, McNeill's, Boddie and A. Miller; all of said Levee is completed except one half mile; the sum of thirty-one thousand dollars has been paid to the contractors; the cost of said Levee will be thirty-six thousand dollars, leaving a balance due the contractors of five thousand dollars.

You will discover by the above estimate that it will take upwards of seventy-five thousand dollars to pay for the completion of the Levee, including the amount due different contractors for Levee already completed.

The Levee will cost much more than was estimated by the first survey of the topographical engineer, from the fact that the Levee route was changed from his survey, and run further from the bank of the river, for the better security of the Levee, where the land was lower than it was on the bank of the river where the first survey was made.

Another reason is, that the commissioners thought that the first dimensions of the Levee from which the first estimate was made, was insufficient for practicable purposes, and instructed me to increase the altitude from two feet above high water to three feet above the level of the highest water mark, and increase the base from five feet to one in height, to seven feet to one in height, and from three feet on the apex, to from four to ten feet.

RECAPITULATION.

LENGTH OF DISTRICTS.	COST OF LEVY.	BALANCE DUE CONTRACTORS.	DISTANCE COMPLETED.	LEVEES UNFINISHED.
First District..6 miles.	\$46,000 00.....	.....	6 miles.....	.....
Second District 15 miles.	49,800 00.....	\$14,000 00.....	13 miles.....	2 miles.....
Third District..6 miles.	27,000 00.....	20,000 00.....	1 1-2 miles.....	4 1-2 miles.....
Fourth District 21 miles.	100,000 00.....	28,500 00.....	14 miles.....	7 miles.....
Fifth District..15 miles.	36,000 00.....	5,000 00.....	14 1-2 miles.....	1-2 mile.....
Whole length of county...63 miles.	Total cost of Levee..\$253,800 00	Total to complete levees exclusive of expenses \$67,500 00	Total.....49 miles	Yet unfinished 14 miles

All of which is respectfully submitted.
JANUARY 28, 1854.

C. S. SEVERSON, Engineer.

REPORTS AND PROCEEDINGS

Of the Levee Commissioners of Coahoma county, Mississippi, recorded in pursuance of the different orders of the Board of Police of said county, in the words and figures following, to-wit:

To the Honorable the Board of Police, for the county of Coahoma:

The undersigned, Levee Commissioners, appointed by your body to superintend the survey and erection of a levee across said county on or near the east bank of the Mississippi river, would respectfully make the following reports of our actings and doings in the premises:

We proceeded to employ a competent engineer, who has surveyed the route on which said levee is to run, and reported the probable cost of building said levee. We regret to say that the expense, according to said report, will be much greater than had been anticipated by any person friendly to said enterprise. The distance across the county is said to be sixty-two miles and three-fourths—the expenses \$250,000. The distance, however, can be shortened about ten miles by a change in the route, which will, it is believed, reduce the expense of the levee about thirty thousand dollars. This change is recommended by said engineer; and it is believed by those acquainted with both routes that the change will not effect any material change to any person, as the public at large. The lands that would be left out of the levee is of but little worth, and if taken in, could not be entirely protected. The injury to individuals, cannot compare with saving to the public generally. We, immediately after our appointment and qualification to office, proceeded to advertise in some three or four largely circulating newspapers, that we would let out the whole levee route to the lowest bidder, or in parcels to suit bidders, giving sufficient time, on a certain day, in the town of Friar's Point. On that day, at the Court House door, the whole route was offered. No bidder. Then by districts, beginning at the first, until the whole was offered, which was seven. No bidders. Then by the mile. We had a few small bids, say about three miles by G. N. Saunders and John G. Miller, which levees they have completed and been received. Since that time there has been about twelve miles more put under contract. We have used every effort in our power to get a large amount of levee under contract, but have failed, owing, we think, to the following reasons:

1st. A want of means promptly to pay for labor. Leveeing is a business now largely in market, both south and west of us, and the highest wages are given. Undertakers were not willing to come to our terms, and wait on the county for pay, and then take a pro rata share annually. That portion of levee that has been built, and that is now under contract, we regret to say, we have had to pay

an enormous high price, for (viz :) 4 feet and under, 12 1-2 cents; per cubic yard, 4 to 6, 15 cts.; 6 to 8, 16 cts.; 8 to 9, 18 cts.; 9 to 10, 20 cts.; and 10 and upwards, 25 cts.; 12 1-2 cts. for muck ditch; 50 cts. per rod for clearing the way. At this maximum our engineer made his calculation. We started out at the following rates: 4 foot L 12 1-2 cts.; 6 feet, 15 cts.; all over, 18 cts. A few bids were taken, but have failed to comply. Consequently they have fallen through. Your commissioners have pursued the following course in the distribution of the fund in hand and in prospect: They divided the county into seven districts, giving to each member a district to superintend, especially dividing this fund to each district according to the estimated amount to build the levee, in said districts, then to be appropriated exclusively, directing the labor to be performed first in those portions of the districts from which greatest good could be effected. Owing to this manner of distribution several propositions to take contracts at the above rates, were rejected. The commissioners of said district, believing they could do better for their portion of the county by holding on to the district fund, until it would accumulate so as to enable them to make cash contracts or nearly so. Upon the whole, however, your commissioners believe the levee project practicable, and can be made; and hope your body, in its wisdom, will be able to devise such measures as will most successfully carry out and effect the object contemplated. We hope in future to be able to move on with greater facility in carrying out this important enterprise, since the very favorable action of our legislature upon this subject. They have contributed to this enterprise \$75,000; to be raised out of the State lands at \$2 per acre, also \$250,000 acres of land scrip to be raised from the swamp land fund at 50 cts. per acre. These means we think can be made available. We therefore respectfully recommend the reduction of the levee tax. We think for a time yet it will be necessary to levy and collect a small tax, until the legislature's donation can be made available. All of which is respectfully submitted.

NOTE.—On this day we have let out 28 75-100 miles, now under contract.

[Signed.]

A. SHELBY,
G. B. WARREN,
J. H. HUGHES.

LEVEE TREASURER'S REPORT.

To the Honorable the Board of Police,

of Coahoma county, Mississippi :

The Treasurer of the Board of Levee Commissioners of said county would respectfully beg leave to report, that he collected from the State the sum of.....\$8,850 70
From the county of Coahoma,..... 4,044 69

Total amount received,.....\$12,895 39

Different amounts paid out by order of Levee Commissioners for building levee, engineering, &c.:

Oct. 20, 1851, On order to G. N. Sanders,.....\$100 00
Nov. 5, 1851, On order to J. W. King,..... 34 00
Nov. 22, 1851, On order to P. M. Grant,..... 58 00
Jan. 3, 1852, On order to John G. Miller,.....1,048 00
Jan. 10, 1852, On order to G. R. Morton,..... 20 00
Feb'y 7, 1852, On order to J. B. Smith,..... 418 00
Feb'y 7, 1852, On order to John G. Miller..... 413 00
Feb'y 20, 1852, On order to G. N. Saunders,..... 780 00
Feb'y 20, 1852, On order to W. S. Warren,..... 3 00
Oct. 22, 1852, On order to T. F. Stewart,..... 300 00
Oct. 22, 1852, On order to A. M. Stewart,..... 80 00
Oct. 22, 1852, On order to W. P. Boddie,.....6,000 00
Oct. 22, 1852, On order to Vicksburg Whig,..... 10 00
Oct. 22, 1852, On order to J. H. Hughes,..... 91 75
Jan'y. 3, 1853, On order to J. G. Miller,..... 22 00
Jan'y. 3, 1853, On order to Aaron Shelby,..... 64 00
Jan'y. 3, 1853, On order to G. B. Warren,..... 62 00

\$ 9,504 15

Balance on hand,.....3,391 24

\$12,895 39

T. H. McNEILL, Treasurer, &c.

Ordered for record, 13th April, 1853.

J. MAGEE, Clerk.

REPORT OF LEVEE COMMISSIONERS.

*To the Hon. the Board of Police,
of Coahoma county, Mississippi:*

The Levee Commissioners of Coahoma county, Mississippi, elected by the Board of Police, would respectfully report to the Board, that after their appointment to said office of Levee Commissioners, that they resolved firmly and zealously, to carry out the provisions of the various laws, for the construction of levees on the Mississippi river, in Coahoma county, and to fully and energetically meet the wishes and expectations of every reasonable friend of the levee system, and their time and talents have, at all times, been directed to the carrying out and completion of this desirable object, and public benefit, and being influenced by an honest intention of doing every thing that could be accomplished, with the limited means that had been appropriated for levee purposes, by the acts of the Legislature of the State of Mississippi, approved the first of February, 1850, and the acts of the second of March, 1850, which said several acts, were made to apply to the county of Coahoma, by an act approved the 30th day of November, 1850, and after the appointment of these Levee Commissioners, the Board of Police of Coahoma county, in their wisdom, very properly levied a tax of ten cents per acre on each acre of land liable to taxation in this county. Which by reference to the Legislative enactment, it will be seen, would enable the proper authorities of Coahoma county to demand and receive from the State of Mississippi, an amount equal to that levied on each acre of land held by private individuals. The Levee Commissioners having been qualified according to law, organized their Board, by electing a president, secretary, and treasurer; from the latter officer this Board has taken bonds, conditioned according to law, for the safe keeping and disbursement of the Levee Fund, with security thereon of unquestionable solvency, and who are justly represented to own unencumbered estate in their own right, worth over half a million of dollars. After these preliminaries had been arranged, the Board, with a strict view to encourage, in all the departments, proceeded to settle on a rate of prices, for the construction of the levee, and advertised in the public newspapers, for contractors to undertake the construction of the levee; but after eighteen months of unsuccessful efforts, it was ascertained that these prices were regarded by contractors, as wholly inadequate for the construction of the levee. Your Commissioners then, on mature deliberation, settled on the following as the base, height, manner and mode of constructing the levee. All levees four feet high and under, to have a base of five feet, for every foot in height; all levees over four feet high and under nine feet high to a base of six feet to

every foot in height; and all levees over 9 feet high shall have a base of seven feet for every foot in height, and for the certainty of effectually securing the country from future inundation, it was believed to be judicious to build all levees under four feet high, two feet above high water mark, and all levees over four feet high, three feet above the highest water mark, with an allowance of two inches for shrinkage, for every foot in height, and for the better security of obtaining a firm and impregnable base for the levee, all stumps, trees, and logs were to be removed from the base, and a muck ditch three feet deep and three feet wide, running with the center of the line of the levee. And for the building and construction of the levee, the following prices were proffered to be paid, to-wit: All levees four feet high and under, at 12½ cents per cubic yard; from four to five feet high, at 15 cents per cubic yard; from five to six feet high, 16 cents per cubic yard; from six to seven feet high, 17 cents per cubic yard; from seven to eight feet high, 18 cents per cubic yard; from eight to nine feet high, 19 cents per cubic yard; from nine to ten feet high, 20 cents per cubic yard; and, all levees over ten feet high, to be at 25 cents per cubic yard. The inadequacy of the former prices, being clearly ascertained, and these rates being made public, had the effect of bringing forward levee contractors, but not with any degree of alacrity, for it was rumored, and the fact is believed to be so, that the State of Arkansas is paying 20 cents per cubic yard for all levees; and the adjoining county of Bolivar, in the State of Mississippi, is paying from 15 to 30 cents per cubic yard, for the construction of their levees.

It will readily be perceived, by calculation, that these prices are a higher average than that paid for the Coahoma county levees, and as an evidence that the prices paid for the construction of levees here, were not regarded as the most lucrative business, it was not until the month of December, 1851, that these Commissioners were able to make any contract. And they furthermore state, that various contractors, who have completed their levees, have all expressed as not being paid for their time, trouble and investment of capital; but notwithstanding the disinclination of foreign contractors to undertake the work, these Commissioners have by their industry, been enabled to put the whole line of the levee in Coahoma county under contract, forty-two miles of which levee is now completed, received and paid for, and the residue of about twenty miles is under contract, as is certainly believed will be completed according to contract. The various contractors having entered into bonds, with satisfactory security, for the faithful performance of the work.

By reference to the act of the Legislature of the State of Mississippi, approved the 15th day of March, 1852, it will be seen that the Legislature, by this enactment, appropriated 75,000 dollars in money, and 250,000 acres of land scrip, which could only

be located on the submerged lands of the State, and was delivered to Coahoma county in due time. But this same act of the Legislature authorized the issuance of 600,000 acres of land scrip to the river counties, for levee purposes, and 300,000 acres more, to be retained and disposed of by the State, at fifty cents per acre; which was the minimum price fixed by law for the disposal of the same, by the State or any Levee Commissioner, either in money or for payment in making levees. These Commissioners having deliberated on the amount of land scrip issued, the locality of the lands to be located under it, and the probable course of future events, as indicated, by past experience arrived at the conclusion, that if this land scrip was ever to be of much advantage to the county of Coahoma, it must be appropriated with promptitude and decision, and on a proposition made by men of high character and general intelligence, and large pecuniary resources, for a heavy contract of some ten miles in length. It was agreed to advance 30,000 dollars in land scrip on this contract, and in this connection, they would here state that some where near 30,000 dollars worth of work on this levee is completed; and the Commissioners are entirely confident that this contract will be fulfilled, and the levee completed this season.

The Commissioners, in making contracts for building the levee, after the appropriation of the land scrip, made it a part of their contract that each contractor was to receive his proportion, of land scrip and pro rata of money belonging to the section or division of the county wherein his levee was situated. The wisdom and advantage of paying out this land scrip, with promptitude, is now no longer problematical, but an ascertained fact, for those at all familiar with the ordinary course of business, know full well that this same land scrip paid out at fifty cents per acre, to the Levee Contractors can now be purchased in any quantities, large or small, at the rates of about thirty cents per acre; and large amounts can not be sold at this reduction of price, and in the county of Bolivar where the Commissioners did not appropriate the land scrip promptly, they cannot do so now at the minimum price of the law, and will be compelled to retain large amounts of this kind of funds on hand, perhaps for some future legislation.

The amount of land scrip now in the treasury of Coahoma county, is 15,680 acres of land. In the various propositions and efforts, it was found impracticable to obtain contractors for some twenty miles of important levee in Coahoma county, some of which was through a deep overflow, and these Commissioners, actuated with a strong desire that such an important work should not fail when two thirds thereof had been completed, and being unable to find contractors, who would take the contracts, and foreseeing the necessity of paying out at par the land scrip; several of whom determined to undertake contracts, give bonds as other contractors, and complete the whole line of the levee this year, and according

to this resolution, the whole line of the levee is now under contract, and the work all paid for, the said Levee Commissioners having given such full and ample security for the performance of their several contracts, according to their stipulations, as will insure the completion thereof with as much certainty as human affairs can possibly be relied on. These latter contracts were made and entered into with a firm belief that it was the only way and time that the levee could be made, with the kind of funds that were on hand, without any future loss or depreciation to the county of Coahoma. The Commissioners being informed that these contracts have been the subject of severe criticism by many citizens of our county, they therefore wish to disabuse the public mind, and set the whole of their acts and doings in this matter, before the Board of Police, and through them before the county, being well assured that when truth shall have its force, reason its sway, and the fountains of justice their purity, that impartial judgment must write upon their acts, well done thou faithful public servants. The Commissioners would refer the Board of Police to their treasurer's reports, accompanying this, for the amount of receipts and expenditures on account of the Levee Fund of Coahoma county. All of which is respectfully submitted.

[Signed,]

A. SHELBY, President.
J. H. HUGHES, Sec'y,
G. B. WARREN,
J. G. MILLER,
THOS. H. McNEILL,
P. M. GRANT.

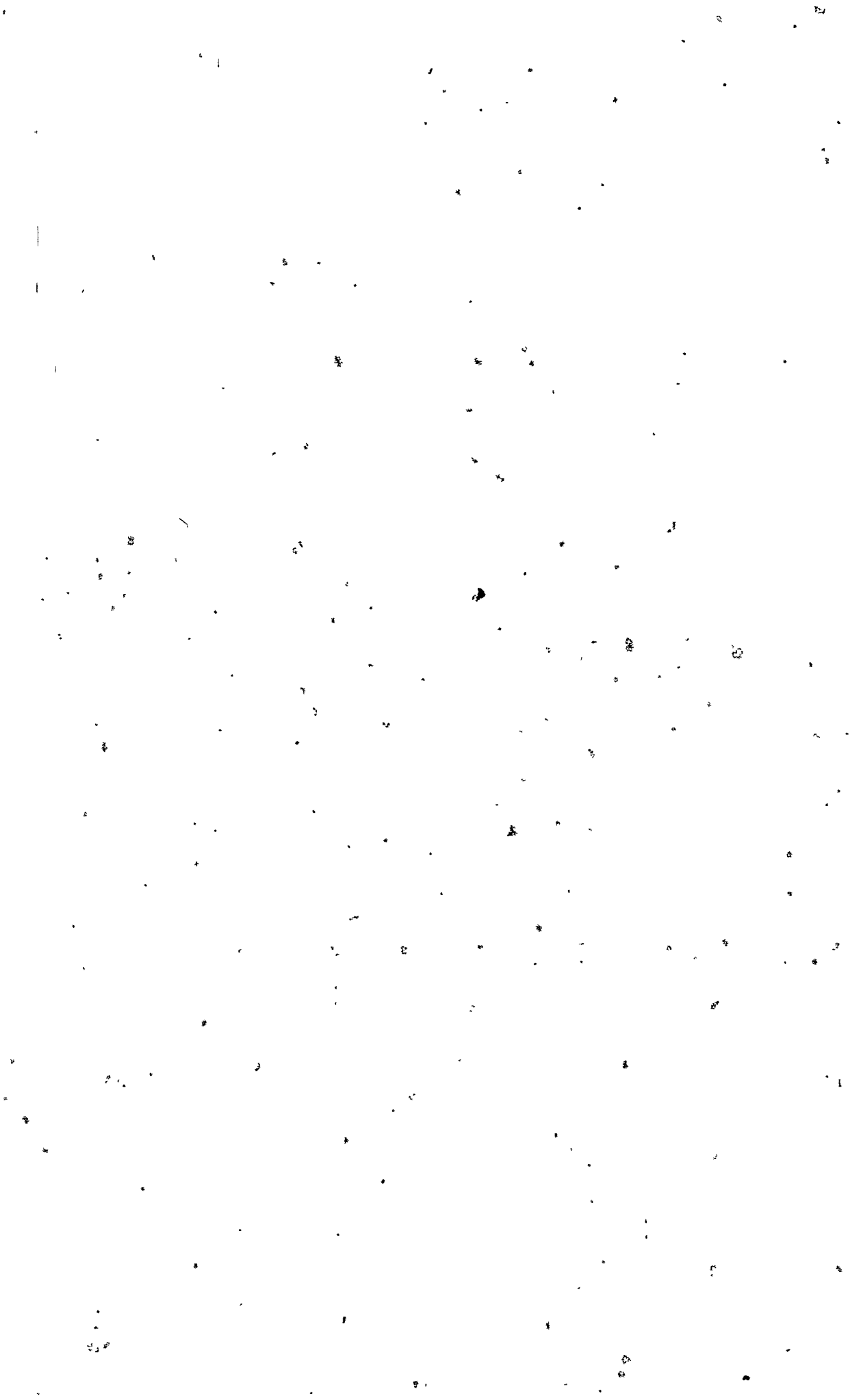
TREASURER'S REPORT—Amount of Coahoma county Land Warrants, paid out by order of the Board.

No. 1	 375 pieces	To Thompson, Ford & Powell,.....	\$ 30,000 00
No. 2	 70 pieces	To John G. Miller,.....	5,600 00
No. 3	 36 pieces	To Thomas Butler,.....	2,880 00
No. 4	 75 pieces	To Peter Wilkerson,.....	6,000 00
No. 5	 150 pieces	To A. M. Stewart,.....	12,000 00
No. 6	 81 pieces	To M. McNeill,.....	6,480 00
No. 7	 113 pieces	To P. M. Grant,.....	9,040 00
No. 8	 35 pieces	To Hector McNeill,.....	2,800 00
No. 9	 75 pieces	To Peter Wilkerson,.....	6,000 00
No. 10	 8 pieces	To Samuel McCloud,.....	640 00
No. 11	 10 pieces	To Samuel McCloud,.....	800 00
No. 12	4, 2, and 7—13 pieces	To John Oarick,.....	1,040 00
No. 13	..12 and 4—16 pieces	To M. L. Maynard,.....	1,280 00
No. 14	 75 pieces	To En. Ensly,.....	6,000 00
No. 15	 100 pieces	To Aaron Shelby,.....	8,000 00
No. 16	 3 and 5—8 pieces	To T. F. Stewart,.....	640 00
No. 17	 8 pieces	To T. F. Stewart,.....	640 00
No. 18	 62 pieces	To John G. Miller,.....	4,960 00
No. 19	 4 pieces	To John G. Miller,.....	320 00
No. 20	 7 pieces	To Patrick Flarity, order, receipt for \$600 county,.....	560 00
No. 21	 6 pieces	To W. A. Miller,.....	480 00
No. 22	 113 pieces	To T. H. McNeill,.....	9,040 00
No. 23	 2 pieces	To Thomas Collins,.....	160 00
No. 24	 17 pieces	To S. McCloud,.....	1,360 00
No. 25	 5 pieces	To Patrick Flarity,.....	400 00

Paid out by order of the Board of Levee Commissioners, 1,464 pieces of Coahoma county Land Warrants, received from the State 1,562 pieces. Leaving on hand, as before stated, 15,680 acres of land scrip.

[Signed]

T. H. McNEILL,
Levee Treasurer.



Amount of Money paid out by order of the Board of Levee Commisstoners of Coahoma county, Mississippi.

October 20, 1851.....	No. 1....	Cash on order to G. N. Saunders.....	\$ 100 00
November 5.....	No. 2....	Do.....do.....John W. King.....	34 00
November 22.....	No. 3....	Do.....do.....P. M. Grant	60 00
January 3, 1852	No. 4....	Do.....do.....Miller and Saunders.....	1,048 00
January 10.....	No. 5....	Do.....do.....G. K. Morton	20 00
February 7.....	No. 6....	Do.....do.....J. B. Smith	418 00
February 7.....	No. 7....	Do.....do.....J. G. Miller	413 00
February 20.....	No. 8....	Do.....do.....G. N. Saunders.....	780 00
October 22.....	No. 9....	Do.....do.....T. F. Stewart	300 00
October 22.....	No. 10....	Do.....do.....A. M. Stewart.....	80 00
October 22.....	No. 11....	Do.....do.....For publication	10 00
October 22.....	No. 12....	Do.....do.....J. H. Hughes	91 75
October 22.....	No. 13....	Do.....do.....W. S. Warren.....	3 00
November 1.....	No. 14 } No. 15 }	Do.....do.....A. Shelby	114 00
November 1.....	No. 16....	Do.....do.....G. B. Warren.....	62 00
November 1.....	No. 17....	Do.....do.....J. G. Hiller.....	22 00
November 12.....	No. 18....	Do.....do.....W. P. Boddie	6,000 00
December 22.....	No. 19....	Do.....do.....Peter Wilkerson	1,000 00
December 23.....	No. 20....	Do.....do.....Thomas Butler	1,000 00
December 23.....	No. 21....	Do.....do.....G. B. Warren.....	176 00
December 22.....	No. 22 } No. 23 }	Do.....do.....M. L. Maynard.....	600 00
December 22.....	No. 24....	Do.....do.....Thomas Collins.....	300 00

December 22.....	No. 25....	Cash on order to C. S. Seerverson	28 60
December 22.....	No. 26....	Do.....do....M. L. Maynard	300 00
December 22.....	No. 27....	Do.....do....Owen and Laffity	300 00
December 27, 1852....	No. 28....	Do.....co....Thompson, Ford and Co.	8,000 00
December 27.....	No. 28....	Cash paid Treasurer, by order Board of Police.....	4,030 76
December 31.....	No. 29....	Cash on order to G. K. Morton.....	88 00
December 31.....	No. 30....	Do.....do....J. G. Miller	5,000 00
December 31.....	No. 31....	Do.....do....A. Shelby	130 00
December 31.....	No. 32 } No. 33 }	Do.....do....J. G. Miller.....	438 00
December 31.....	No. 34....	Do.....do....A. M. Stewart.....	146 00
December 31.....	No. 35....	Do.....do....Peter Wilkerson	2,500 00
December 31.....	No. 36....	Do.....do....Aaron Shelby	8,000 00
December 31.....	No. 37....	Do.....do....B. Bailey.....	81 75
December 31.....	No. 38....	Do.....do....S. McCloud.....	200 00
December 31.....	No. 39....	Do.....do....Thomas Collins	50 00
December 31.....	No. 40 } No. 41 }	Do.....do....C. S. Seerverson	181 00
December 31.....	No. 42....	Do.....do....L. J. Bradley	6 90
December 31.....	No. 43....	Do.....do....T. H. McNeill	300 00
January 4.....	No. 44....	Do.....do....P. M. Grant	9,000 00
January 4.....	No. 45....	Do.....do....T. H. McNeill	9,000 00
January 4.....	No. 46....	Do.....do....W. J. Pendleton	1,500 00
January 4.....	No. 46....	Do.....do....Ann Butler	2,000 00
January 4.....	No. 47....	Do.....do....W. P. Boddie	45 27
January 4.....	No. 48....	Do.....do....Hector McNeill.....	1,600 00
January 29.....	No. 49....	Do.....do....A. M. Stewart.....	12,000 00

Amount paid out by Commissioners, &c.—Continued.

March 23.....	No. 50....	Cash on order to S. McCloud.....	1,200 00
March 23.....	No. 51....	Do.....do.....E. Ensley	4,000 00
March 23.....	No. 52....	Do.....do.....Patrick Flarity.....	1,000 00
March 23.....	No. 53....	Do.....do.....T. F. Stewart	980 00
March 23.....	No. 54....	Do.....do.....C. S. Severson.....	295 00
March 23.....	No. 55....	Do.....do.....T. Collins	48 87
March 29.....	No. 56....	Do.....do.....J. Orrick.....	600 00
March 29.....	No. 57 }	Do.....do.....J. H. Hughes	282 00
	No. 58 }		
April 1.....	No. 60....	Do.....do.....W. H. Miller	520 00
April 1.....	No. 59....	Cash paid for taxes on Land.....	183 07
April 7.....	No. 61....	Cash on order to P. M. Grant	108 00
April 8.....	No. 62....	Do.....do.....B. Bailey.....	43 10
April 8.....	No. 63....	Do.....do.....Samuel McCloud	826 00
April 8.....	No. 64....	Do.....do.....Patrick Flarity	438 75
April 8.....	No. 65....	Do.....do.....Elijah Barbee	100 00
April 8.....	No. 66....	Do.....do.....C. S. Severson.....	100 00
			\$ 8886 22

**Amount of Money received by Thos. H. McNeill, Levee Treasurer of Coahoma county, Mississippi, on account of
Levee Funds.**

1851.	From the county of Coahoma, on account of Taxes.....	\$4,044 69
February 24.....	From State for Taxes on State Lands	8,850 70
August 4.....	On account of Levee Appropriations from State	75,000 00
	On account of Land redeemed by Bruton and Bridgers.....	244 00
	On account of Land redeemed by Bridgers.....	546 82
		\$88,686 21
		88,886 22
	Amount due Treasurer	\$200 01

T. H. McNEILL,
Levee Treasurer Coahoma County, Mississippi.

Recorded May 6th, A. D., 1853.
J. MAGEE, Clerk

LEVEE COMMISSIONER'S REPORT.

*To the Honorable the Board of Police,
for the county of Coahoma county, in the State of Mississippi.*

We, the Board of Levee Commissioners for said county, would respectfully report to your honors, that in pursuance to our appointment by your Board, we met at the court house of said county, on the 18th day of April, 1853, and proceeded to organize, by the election of Samuel Saxon, as President, William D. Jones, Treasurer, and Charles S. Severson, as Secretary; and after organizing, we distributed said county in levee districts, as follow, to-wit: From the Tunica county line, to where the levee crosses the Yazoo Pass, as levee District No. 1. District No. 2, from the Yazoo Pass levee, to Old Port Royal. District No. 3, from Old Port Royal to Ritchies' Bayou. District No. 4, from Ritchies' Bayou to where the levee route intersects the Lunsford road. District No. 5, from the Lunsford road, to the Bolivar county line; and apportioned said districts to the following named Commissioners for their attention and supervision, to-wit: District No. 1, to J. Alcorn. District No. 2, to William D. Jones. District No. 3, Samuel Saxon. District No. 4, to Charles S. Severson. District No. 5, J. W. Ledbetter; which is submitted to your Honors for approbation. We, as such Commissioners, have examined the report of the former Commissioners, and find that there are no means in the treasury, to defray the incidental expenses of the levee, and by reference to the report of the former treasurer, it will be seen that he has paid out and expended \$200 01, of his own means, in the construction of said levee, over and above the amount received by him as said treasurer. All of which is respectfully submitted to the wisdom of your Board, for further action, &c.

[Signed,]

SAM'L SAXON, President,
WILLIAM D. JONES,
J. W. LEDBETTER,
JAMES ALCORN,
CHAS. S. SEVERSON.

May 9th, 1853.

Recorded in pursuance of an order of the Police court, made at the May term, 1853, this, June 2d, A. D. 1853.

STPPLEMENTAL REPORT.

*To the Honorable the Board of Police,
of Coahoma county, Mississippi:*

The undersigned, former Levee Commissioners of said county, would respectfully beg leave to present this their supplemental report, and pray that the same may be received and confirmed by your Honorable Board. The undersigned would report that owing to the absence of several members of the Board, when their last report, (of which this is a supplement,) was made, some mistakes unwittingly were made in said report, and a contract lately entered into, between said Board and Peter Wilkerson, running from the lower end of Temple Stewart's levee to Bland's Bayou, distance near four miles, was not mentioned.

The undersigned being anxious that said report be explained, and the levee and contractors be so reported that your Honorable Board and their successors can fully understand, the actions of the undersigned and they placed in their true and proper position in regard to the disbursement of the Levee Funds of said county, state that the amounts received by the several levee contractors, as mentioned in the report to which this is a supplement, is correct, but the contractors have not been fully paid, as some of the contracts are not completed, and others not commenced, and it is impossible to say what each contractor's claim against the Levee Fund will be until their contracts are completed; hence the report that all the contractors are paid is erroneous. It is also erroneous that all of the county is under contract. There is between one and two miles of levee from the lower end of S. McCloud's levee, to the upper end of Temple Stewart's levee, and about two miles from the lower end of Enoch Ensly's levee, to the upper end of P. M. Grant's levee, not under contract. The undersigned contracted with Peter Wilkerson to build a levee from the lower end of Temple Stewart's levee, to Bland's Bayou, distance near four miles; and agree to advance said Wilkerson 10,000 dollars; 5,000 dollars in scrip, which has been paid, and 5,000 dollars in cash. The undersigned agreed with said Wilkerson, to let him have enough scrip, to amount of 5,000 dollars, at the market value of said scrip, if there was no money in the treasury, to advance. The undersigned say that there was no money in the treasury to advance, and that when said Wilkerson drew his scrip, he received 1,000 dollars more in scrip than he agreed to do, which is to be charged to him, as cash, at the market price of scrip; and the balance of 5,000 dollars in scrip at the market value of the same, is still due said Wilkerson, as per contract.

The undersigned believing that the last report, with this supplement and explanation, will prove satisfactory to the Board and the county, will respectfully submit this report for consideration and

action of your Honorable Board, and take leave of the subject, trusting that when passion and prejudice shall cease, and reason resume its throne, the motive for the action of the undersigned, as Commissioners, will be understood and appreciated.

A. SHELBY,
G. B. WARREN,
J. G. MILLER,
A. M. STEWART.

May 19th, 1853:

Recorded pursuant to an order of the Police Court, made on the 19th day of May, A. D. 1853, this 2d June, A. D. 1853.

J. M. GEE, Clerk.

REPORT OF LEVEE COMMISSIONERS.

To the Honorable the Board of Police of Coahoma County, Miss.:

The undersigned Levee Commissioners of the county aforesaid, appointed by your honorable body in April last, beg leave to make the following report of their actings and doings, since they qualified as Levee Commissioners. to-wit:

The undersigned, after being notified of their election as Levee Commissioners of Coahoma county, Mississippi, assembled at Friar's Point, on the 18th day of April, 1853, and organized by the election of Samuel Saxon as President, Wm. D. Jones, as Treasurer, and Charles S. Severson as Secretary; the Board also elected Charles S. Severson Engineer, to receive five dollars per day, while actually engaged in such service.

When the undersigned entered upon the discharge of their duties, they discovered that a contract entered into by their predecessors and Peter Wilkinson, for leveeing, had not been fully and entirely complied with on the part of their predecessors; that the undersigned, before entering upon the discharge of their duties, took an oath to faithfully discharge their duties as levee commissioners; in view of the oath so taken, they could not assume the responsibility of reviewing and receiving any contract entered into by their predecessors with contractors, thereby retarding the progress of the levee for an indefinite period; the undersigned conceived it to be their duty to use all honorable exertions to facilitate the completion of the levee, and not retard its progress by a factious opposition to contracts entered into by their predecessors. In pursuance of the contract aforesaid, the undersigned passed an order authorizing the levee treasurer to pay to said Peter Wilkerson five thousand dollars in levee scrip, which amount has been paid over

under said order, minus forty dollars. The undersigned would further report, that that portion of the county reported by the former Board as not being under contract, still remains uncontracted for. The contractors for the levee are now making as rapid progress with their contracts as could be reasonably expected, at this season of the year. The undersigned would further state, that they have every confidence in the present contractors complying with their contracts.

The above is all the undersigned have to report to your honorable Board. By report of the Treasurer, accompanying this report, you will be correctly informed of the condition of the Levee Treasury and the state of the finances. In further explanation of the contract entered into by our predecessors with Peter Wilkerson, we would state that the contract with Wilkerson was to this effect: that they were to give him ten thousand dollars; five thousand dollars was to be given him in scrip, by our predecessors, and five thousand dollars in money. Six thousand dollars in scrip was given him by our predecessors. It was the agreement with the contracting parties, that if there should be no money in the treasury to pay Wilkerson the five thousand dollars, then, and in that event, Wilkerson was to take the scrip, with ten in addition—it being the difference between levee scrip and cash—the amount of ten per cent. advance on the price of levee scrip, made in consideration of his taking scrip in place of the money.

[Signed,]

SAMUEL SAXON, Prest. Board L. C.,
CHAS. S. SEVERSON, Secretary,
JAMES ALCORN,
WM. D. JONES.

The undersigned, one of the commissioners whose name is appended to the above report, begs leave to state in his own behalf, that he disclaims the act of the Board in issuing scrip to Peter Wilkerson. The order thereof was made at a called meeting of the Board, and the undersigned was not present; but should have voted against the order, had he been present, believing the same to be illegal.

JAMES ALCORN.

The undersigned, whose name appears on this report, as President of the Board of Levee Commissioners for Coahoma county, Mississippi, was opposed in any way whatever in reducing the levee funds in the payment of levee scrip to Peter Wilkerson, as set forth in this report, there being present at the time the order was passed for said Wilkerson to have said levee scrip mentioned in this report, S. Saxon, Wm. D. Jones, Charles S. Severson and J. W. Ledbetter, being four in number, two voting in favor and one

against. My believing, as President of said Board, that I was not entitled to a vote unless in case of a tie, did not give my vote in the above named case.

SAMUEL SAXON, Prest. Board of L. Com.

The undersigned was present, and voted against the order above specified, and protested against the same as illegal, at the time.

WM. D. JONES.

TREASURER'S REPORT OF LAST BOARD.

Report of William D. Jones, Treasurer, to the honorable the Board of Police of Coahoma County, Mississippi.

The undersigned, Treasurer of the Board of Levee Commissioners of said county, in conformity with an order of your honorable body, made at the last August term of your court, would respectfully report as follows, to-wit :

No. 1	Received from former Treasurer, Land Scrip, 15,680 acres, or this amount at 50 cents per acre.....	\$ 7,840 00
No. 2	Amount of Levee Tax Deeds on hand without damages.....	548 36
No. 3	Amount received for redemption of Levee Tax Lands.....	- 473 26
	Amount received by Treasurer.....	\$ 8,861 62

483

Amount of Levee Funds disbursed on behalf of said Levee Fund, by order of the Board of Levee Commissioners.

No. 1	Order to Peter Wilkerson, 62 pieces scrip, or.....	\$ 496 00
No. 2	Order to Sol. McCloud, 2 pieces scrip, or.....	16 00
No. 3	Order to Orrick & Laffity, 13 pieces, or.....	104 00
No. 4	Cash in order to L. L. Bridgers.....	3 00
No. 5	Do. do. to Chas. S. Severson.....	15 00
No. 6	Do. do. to Wm. D. Jones.....	7 50

No. 7	Do.	do.	to Wm. Atkinson	10 00
No. 8	Do.	do.	to Jas. H. Hughes	60 00
No. 9	Do.	do.	to Samuel Saxon	16 00
No. 10	Do.	do.	to James Alcorn	26 00
No. 11	Do.	do.	to James W. Ledbetter	26 00
No. 12	Do.	do.	to Wm. D. Jones	16 00
No. 14	Do.	do.	to J. Magee	12 00
No. 13	Do.	paid to	Robert Robson for taxes on Island Land by order of Board of Police	45 78
				6,497 28
				8,861 62
Balance in hands of Treasurer				\$2,364 31

All of which is respectfully submitted.

Recorded pursuant to an order of the Board of Police, this August 29, 1853.

WM. D. JONES.

J. MAGEE, Clerk.

TO HIS EXCELLENCY, JOHN J. McRAE,

Governor of the State of Mississippi:

The undersigned, Board of Levee Commissioners for Coahoma county, beg leave respectfully to report that at the last May term of the Police Court of said county, they were appointed to the office which they now hold; that they succeeded a board of commissioners who were appointed shortly after the passage of the law by the Legislature providing for the construction of a levee in Coahoma county, and had held their offices, with one or two changes, up to the appointment of the present board.

When the undersigned entered upon the discharge of their duties, they found in the treasury, as will be seen by the report of the Levee Treasurer of the undersigned, \$8,861 62, said report of the Levee Treasurer being marked "Exhibit A," and made a part of this report. It is known to your Excellency that there came to the hands of the old board, \$75,000 cash, derived from the sale of the 500,000 acres of land, also 600,000 acres of land scrip. In addition to this, they received \$4,044 69, derived from the county of Coahoma in the way of taxes, and \$8,850 70 from the treasury of the State, as tax, under the act of the Legislature, upon the State lands, making the sum of \$88,686 21 in cash, and 250,000 acres of land scrip, the entire amount of which, except the amount above stated, was appropriated by the old board; and as they made no report of their proceedings to your Excellency, the undersigned have thought it best to submit to your Excellency their several reports to the Board of Police of Coahoma county, together with the report of their Levee Treasurer, and also, the reports of the undersigned heretofore made to the Board of Police of said county, which are marked and numbered 1, 2, 3, 4, and endorsed as "Accompanying Documents." By the reports here referred to, it will be seen that large advances were made to contractors, who had executed bond for the performance of the work. The present Board were powerless, except to see that no work should be received unless clearly up to the requisitions of the ordinances of the Board, and to urge, by all possible means, the speedy completion of the contracts. We say powerless, we mean in this, that the funds had already been advanced, and where experience had proven, or time developed, the necessity of changes in the contracts taken, the undersigned were in a degree at the mercy of the contractors, and in some instances, have had to comply with contracts previously made, and in others, agree upon rates for the junction of detached levees which they would not have done had the funds been under their control, but which, if not done, under the circumstances, would have been disastrous to the interest of the county. By reference to the sup-

plemental report of the old Board, it will be seen that they had made an advance to Peter Wilkerson, upon a contract undertaken by him, of 12000 acres of land scrip, and had agreed with him that further advances should be made in cash, or levee scrip at cash prices. Shortly after the installation of the undersigned, this contractor made a demand for compliance with his contract, upon the part of the undersigned. To comply so far as an advance in cash was concerned, was impossible for want of the funds; to allow him the scrip at less than the minimum, we could not do; but finally, that the matter might be arranged without litigation, and the work be speedily completed, we advanced his rates for leveeing, so as to give him, as an indemnity for the discount upon the scrip, the sum of one thousand dollars; and made a further advance to him of 9920 acres of land scrip. Against this action, a portion of the undersigned protested; but those favoring the advance, regarded the contractor as having a legal advantage, which they were well apprised he would use; and they were prompted by a desire for the speedy construction of the levee, feeling that litigation with the contractor, at that crisis, would be ruinous to the best interests of the county. Another difficulty presented itself to the undersigned, in the completion of what we regarded as the most important levee in the county, was this: A contract had been entered into by the old Board with messrs. Thompson, Ford and Powell, for the construction of a levee across the Yazoo Pass. They, during the last season, erected a levee across the Pass, which was received by our predecessors, as being up to the requisitions of their ordinance. These contractors had received an advance in money and scrip, and it soon became evident to the undersigned that the money paid them would fail to connect this with the work done below them, which was necessary to be done, that the work should be permanent. This discovery was not made till the season was far advanced, and the undersigned were without the means for its completion. Leave this gap open, and destruction to the whole work done, upon the first overflow of the Mississippi, was the certain consequence. We, therefore, negotiated with said contractors for the completion of the work at an advance of rates which might be regarded as high, but which we regarded, under the circumstances, a fortunate arrangement for the county, for these contractors entered speedily upon the work, and have fully completed their contracts, for which we now stand indebted about \$8,000. This liability we have incurred, relying upon the liberality of the Legislature, confident that the helping hand of the State will not be removed from us at this important crisis. The completion of this contract makes the levee continuous, from the Northern boundary of the county, extending about one mile south of the Yazoo Pass, leaving a small contract for the extension of said levee to the high grounds near the town of Delta yet unfinished, but in progress of completion. When this portion of the work is done, a great portion of the county

heretofore subject to annual inundation will be entirely reclaimed; and should no other levee ever be built in the county, the State, in this levee alone, would derive a full equivalent for the advances made by her Legislature, in the astonishing increase of her taxable resources. The line of levee is continuous, from the town of Delta south about thirteen miles, less a breach of about four or five hundred yards, which is now in rapid progress, and will, we think, be completed in sufficient time to check the coming overflow. This we regard as certain, unless an unexpected rise of the Mississippi should come. South of this levee comes a contract of five miles, which will cost about \$20,000, and upon which no work has yet been done. Then comes the contract of Wilkerson, above referred to, upon which an advance was made of \$10,000 for the construction of the levee over a distance of four miles. He may complete by the ensuing rise of the river two miles in distance, embracing something over one third of the work. We look for nothing better. Contiguous to this contract the work is progressing well, until the contract is reached previously taken by A. M. Stewart, and upon which our predecessors made him an advance of \$24,000. Thus far he has done nothing in the way of leveeing, and the indications are anything but favorable for its completion. We regret that messrs. Stewart and Wilkerson have failed in their work; for could we report favorably as to when the north half of the county would be virtually secured, south of Stewart's contract, a contract extending to the county line, is in speedy progress of completion; this work, we feel confident, will be completed in time for all practical purposes. Upon it, when completed, the Board will owe some six or eight thousand dollars. As yet, owing to the unfinished state of the work, a precise estimate of the cost of the levee has not been made; but we hope to submit to your Excellency the calculations of our engineer, before the close of the present session of the Legislature. Enough is known from the estimates now before us to show our inability to complete the work, without additional succor. We estimate the amount necessary at about \$75,000. We submit, respectfully, the propriety of speedy legislation upon this subject. The present Legislature should, by all means, provide for the construction and completion of this work during the ensuing season; delay in many instances would be ruinous to work already done. Some additional legislation, in which our delegates are fully instructed, will be necessary for the protection of levees built. We suggest the question as to whether legislation is necessary for speedy recovery of money heretofore advanced, wherein the parties are failing to redeem their obligations? The practical benefits derived to the State from the construction of levees upon the Mississippi, are no longer in question; none are now found to argue against the practicability of the system; while the benefits to be derived to the State are as little questionable. The tide of emigration which has heretofore travelled west of the

Mississippi, has been checked; the Western emigrant, when he reaches the bank of the great Mississippi, views with astonishment the noble embankment which guarantees the protection of this rich and fertile region of country from the destructive influences of inundation, strikes his camp and becomes a citizen among us. Our population is daily increasing; land has advanced, where the protection is complete, from six, to twenty and thirty dollars per acre; the citizens wear an expression of contentment; none leave, but many come, and soon this former wilderness and habitation of wild beasts will become one of the most beautiful and lovely portions of the South. All of which is respectfully submitted.

SAMUEL SAXON, Prest. Board L. C.,
JAMES ALCORN,
SOLOMON M. McCLOUD,
CHARLES S. SEVERSON,
WILLIAM D. JONES.

SCHEDULE A.

*STATEMENT of work done during the years 1853 and 1854,
in Bolivar county, Mississippi.*

NAMES OF CONTRACTORS.	CHAINS.	COSTS.
M. H. McGehee.....	73.00	\$10,608 95
Chas. Clark,.....	42.00	3,979 66
H. H. Glenn,.....	104.00	5,901 51
H. H. Glenn, clearing track,.....	....	406 46
James P. Parker,.....	49.00	480 30
T. J. Jackman,.....	41.00	3,565 04
E. E. P. Davidson,.....	15.00	1,788 95
Edmund McGehee,.....	235.00	7,605 95
J. S. Wilkerson,.....	112.00	5,718 43
J. J. Goff,.....	12.00	261 26
Chas. Clark,.....	48.00	4,027 20
W. S. Cook, repairs,.....	....	90 00
Cousar & Kerk, repairs,.....	....	184 00
	731.80	\$44,617 71

To the Hon. J. J. McRAE,

Governor of the State of Mississippi:

In pursuance of an act of the Legislature of Mississippi, requiring your undersigned commissioners to report condition of levee fund and disposition of same, we beg leave to report:—

1st. Owing to the demand for labor on works of internal improvement now in progression throughout the west and south, and consequent scarcity of hands, the increased price of labor and of provisions, the amount of work completed during the season of 1853-54, will compare unfavorably with previous years. Our desire to keep the rates low for leveeing, and to economize the fund, may have checked to some extent the desire of taking contracts.

Upon a closer inspection into the extent in miles yet to levee in the county, we find our last estimate too small, and report about eight miles not under contract.

The amount under contract, most of which is already completed, and so reported in schedule marked A, is about 10.25 miles.

We would estimate the cost of levees not under contract, at about \$70,000.

The amount of cost of levees completed and reported for the years 1853-54, deducting \$24,445 68-100 for land warrants sold to contractors on bonds, is \$20,170 3-100, which is a charge against the fund yet to be liquidated.

But, by the time we shall have completed the leveeing of the county, owing to the uncertainty of the channel of the Mississippi river in some bends, new levees will be demanded, and thus like the perpetual flow of the waters of the Mississippi, will there be a demand for funds to repair old levees, and occasionally to make new.

We know of no work of internal improvement, canals, railroads, &c., &c., but require a fund for repairs; and we were in hopes that the funds donated by Congress, 28th September, 1850, were ample.

If all the lands condemned as swamp or overflowed land in the State were made subservient to the leveeing of the Mississippi river, they might be. But we regret to see already a diversion of the fund to other purposes, viz: in chartering Pearl river Company; also chartering Warren, Holmes and Sunflower Company. See acts, 1852.

Even including about 257,000 acres in Sunflower county, whose lands are dependant for protection on the levees in Tunica, Coahoma and Bolivar counties, there are a little over one and a half millions of acres of land in the bottom or river counties, to which we have an indisputable right.

Of this amount, one million of acres have been issued to the State and river counties, leaving the meagre amount of half a million of acres yet to be issued. Coahoma county has received equivalent to 400,000 acres; Bolivar county has received equivalent to 154,000 acres; Tunica county has received 164,000 acres; Coahoma, with a front of about 62 miles, receives equivalent to 6,450 acres per mile.

At same rates, Bolivar would receive 548,250 acres; Tunica, 290,250 acres. To receive our *pro rata* share, according to the apportionment to Coahoma, we are entitled to receive 394,250 acres, in addition to amount already received, and considering a large portion of our county was as new and sparsely settled as Coahoma, and as much entitled to the sympathies of the Legislature, we are justly entitled to receive the same *pro rata* share as Coahoma.

We beg leave to refer to statement of Treasury, herewith enclosed, for additional statement of condition of Levee Treasury, marked B.

Respectfully submitted,

JOSEPH McGUIRE, Pres't.

JAMES B. SMITH,

ISAAC HUDSON,

WILL. S. COOK,

CHRIS'R. J. FIELD,

Levee Commissioners.

[B]

STATEMENT OF TREASURY.

April 19th, 1853.—The Treasurer made the following report:
1853. *Dr.*

Jan. 3.	The Treasurer reports this am't in treasury, to-wit:	\$5,229 22
	This amount paid by ex-treasurer, as per his indebtedness, . . .	130 00
		\$5,359 22

1853.

Cr.

Jan. 3.	By this amount of vouchers from 1 to 28 of this date, ...	\$5,234 02
	Leaving balance due Treas., . .	125 20
		\$5,359 22

The Treasurer makes the following report of the amount of
Land Warrants issued to Bolivar county by Secretary of State,
to-wit:

1853.

Dr.

Apl. 29.	This am't rec'd by Treasurer,	\$52,000 00
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1853.

Cr.

Apl. 29.	By this am't of notes given by contractors as per order of Board, ...	\$21,277 28
	By am't of scrip conceded, ...	8,025 25
	By am't of commissions of treasurer on \$29,302 53, ...	293 02
	Leaving of land warrants subject to sale, ...	22,404 45
		\$52,000 00

Levee Treasurer made the following report of settlement of tax,
1852, to-wit:

1853.

Dr.

May 23.	To tax as per Assessor's book, 1850, ...	\$26,523 4
	To tax as per Assessor's book, 1851-'52, ...	667 59
		\$27,191 08

1853.

Cr.

May 23.	By lands outside of levees, ...	\$ 438 53
	Over assessments B. Police, '53, . . .	326 89
	State and county tax, 1850-'51, on vacant land, ...	4 40

[DOCUMENT B—Continued.]

1853.

Cr.

May 23. State and county tax, 1851, paid	
by levee treasurer,.....	5,027 70
Levee tax on lands sold treasurer, 1853,.....	102 66
State and county tax on same,..	5 20
One deed to Sheriff and Clerk,..	2 00
Scrip paid in.....	21,280 00
Cash paid in,.....	3 70—\$27,191 08

The Levee Treasurer made the folloing report of Land Warrants disbursed since the 29th day of April, A. D. 1853.

1853.

Dr.

Dec. 9. Treasurer charges himself with balance then in his hands, to-wit :.....	\$22,404 45
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1853.

Cr.

Dec. 9. By am't sold to Davidson & Glenn, on bond,.....	640 00
By am't scrip paid by McGehee,	1,197 86
" " " "	1,197 86
" " " "	100 00
" " " "	66 00
By am't appropriation to Concordia Bayou levee,.....	6,000 00
By am't sold Jackman,.....	9,202 38
" " " on bond,	640 00
" " Wm. S. Cook,...	40 00
" " A. H. Glenn, bond,	1,600 00
" " E. E. P. Davidson, on bond,.....	1,600 00
" " O. L. Deen, with credit on bond,.	1,920 00
" " M. H. McGehee, scrip paid,....	492 00
" " M. H. McGehee, scrip paid,....	492 00
" " M. H. McGehee, scrip paid,....	549 83
" " M. H. McGehee, scrip paid,....	549 83
" " M. H. McGehee, scrip paid,....	549 83
" " J. Hudson, on bond,	80 00
" " M. H. McGehee, on bond,.....	720 00
" " M. H. McGehee, scrip paid,....	166 66

[DOCUMENT B--Continued.]

1853.		Cr.	
Dec. 9.	By am't sold to M. H. McGehee,		
	scrip. paid, ...	1,197	86
"	" M. H. McGehee,		
	scrip. paid, ...	492	61
"	" M. H. McGehee,		
	scrip. paid, ...	473	13
"	" M. H. McGeeeee,		
	scrip. paid, ...	371	47
"	" M. H. McGehee,		
	scrip. paid, ...	1,197	86
	Excess paid by treasurer, ...		155 07
		\$22,559 00	\$22,559 00

SCRIP AND CASH SETTLEMENT.

1853.		Dr.
Dec. 3.	Balance brought forward from settlement, 19th April, 1853, .	125 00
	This am't rec'd of J. Hudson, .	
	on Sec. 24, T. 26, R. 6, ...	19 01
	This am't sold Houston, in Sec. 13, 10, 12 & 1, T. 24, R. 6, . .	487 66
	This am't sold Austin, in Sec. 25 and 26, T. 25, R. 7, ...	158 00
	This am't sold Compton, Sec. 25, T. 25, R. 5, ...	146 00
	This am't sold R. W. Durfrey, Sec. 31, 30, T. 20, R. 9, ...	
	Sec. 36, T. 20, R. 8, ...	115 26
	Sec. 32, T. 20, R. 7, ...	
	This am't rec'd of Paxton, in Sec. 25 and 34, T. 21, R. 8, ...	128 00
	This am't rec'd of Fall, on Sec. 29 and 32, T. 20, R. 7, ...	50 61
	This am't rec'd of Carter, parts Sec. 34 and 35, T. 20, R. 8, ...	137 00
	This am't sold U. W. Moffatt, in Sec. 29, 21, 28, T. 23, R. 6, ...	220 85
	This am't rec'd of Cochran, in Sec. 5, 6, 7, 8, 14, 17, 23, 18, 34, 35, T. 23, R. 6, ...	1,197 66
	This am't received of Paxton, in Sec. 29 and 32, T. 20, R. 7, ...	50 61
	This am't rec'd of N. T. Smith, in Sec. 3, 4, 5, 33, T. 25, R. 5, ...	471 75

[DOCUMENT B—Continued.]

1853.	<i>Dr.</i>	<i>Cr.</i>
Dec. 3.	This am't rec'd of Lombard, in Sec. 18 and 31, T. 24, R. 6, } Sec. 32, 26, 32, 33, 34, 35, } Sec. 36, T. 26, R. 6,..... }	1,352 64
	This am't rec'd of Glenn & Davidson, in Sec. 4 and 5, 6, T. 24, R. 6,.....	849 72
	This am't rec'd of Dr. Offatt, in Sec. 32, 31, 33, T. 20, R. 9.	52 00
	This am't received from State, tax on internal improvement land, for the year 1853,....	8,637 84
	This am't rec'd from J. Hudson, refunded on lands,.....	157 39
	This am't rec'd from Feltus, on Sec. 1, 12, 13, 25, 24, 35, 36, T. 23, R. 6,.....	771 34
	This am't rec'd from Lombard, on Sec. 26, T. 26, R. 6,.... } on Sec. 10, T. 26, R. 7,.... }	121 54
	This am't rec'd from Austin & Co., on Sec. 27, 21, 28, 33, 34, 15, T. 25, R. 5, 7,.... } 29, 34, 26,..... }	739 51
	This am't rec'd from Quin Kirkland, on Sec. 35, 17, 25, 26, 34, 36, T. 20, 22, R. 9, 7,..	783 37
1853.	Dec. 3. By this am't of vouchers..... \$17,177 24 Balance in Treasury,..... 395 98	\$17,573 32
	Balance brought forward as above,.....	395 98
	By excess paid by Treasurer on land warrant settlement,.... 155 07	
	By commissions on \$17,573 32, 1 per cent.,..... 175 73	
	Balance in Treasury,..... 65 18	
	\$395 98	\$395 98

On motion, the revenue bill was taken up.

On motion of Mr. West,

The Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The recess having expired, the Senate met, and resumed the consideration of the Revenue bill;

Which was read the first time.

Mr. West moved to lay the bill on the table ;

Which was decided in the negative by ayes and noes, as follows :

AYES.—Messrs. Arthur, Cobb, Farrar, Johnston and West—5.

NAYS.—Mr. President, and Messrs. Adams, Alcorn, Allen, Beene, Bennett, Banks, Berry, Ellett, Greer, Graves, Hemingway, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay and Webb—21.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn offered the following amendment :

Amend revenue bill in seventh line, after the word advanced, by adding : And a tax of one per cent. on the amount of Bank paper of other States put in circulation by their agents in this State ; and the assessor of each county in this State is hereby required to call upon each and every agent of any of the banks of other States to render in, upon oath, as merchants are required to do on sales of goods, the amount of Bank paper put in circulation by him, for the twelve months preceding the first day of May next.

Mr. Berry moved to lay the amendment on the table, and was decided in the affirmative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Adams, Beene, Banks, Berry, Cobb, Ellett, Farrar, Greer, Graves, Hemingway, Hough, McWillie, Ramsay and Webb—15.

NAYS.—Messrs. Alcorn, Acker, Allen, Bennett, Johnston, Koger, Monroe, Nelson, Oliver, Pegues, and West—11.

The rule was further suspended, the bill read the third time and passed, by ayes and nays as follows :

AYES.—Mr. President, Messrs. Adams, Acker, Beene, Bennett, Banks, Berry, Ellett, Greer, Graves, Hemingway, Hough, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Steele and Webb—20.

NAYS.—Messrs. Arthur, Alcorn, Allen, Cobb, Farrar, Johnston, Koger and West—8.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act for the relief of Albert James, former Sheriff of Itawamba county ;

In which the concurrence of the Senate is desired.

On motion of Mr. Koger, the Senate took up the bill to prohibit the circulation of Bank bills of a less denomination than five dollars in this State.

The bill was read the third time and passed by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Adams, Allen, Banks, Berry, Ellett, Greer, Graves, Hemingway, Hough, Koger, McWillie, Monroe, Nelson, Oliver, Pegues, Ramsay, Stuart and Webb—19.

NAYS.—Messrs. Alcorn, Acker, Beene, Cobb, Farrar, Johnston, Steele and West—8.

On motion of Mr. Cobb, a call of the Senate was had.

On motion of Mr. Ellett, a further call was suspended.

Mr. Acker moved to take up the apportionment bill, which was decided in the negative, by ayes and noes, as follows :

AYES.—Mr. President, and Messrs. Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Steele, West and Webb—13.

NAYS.—Messrs. Adams, Alcorn, Arthur, Allen, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay and Stuart—15.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT.—The House of Representatives have receded from their second amendment made to the Senate bill, entitled an act in relation to the rate of interest.

The Senate then took up the Governor's message, in relation to remitting a forfeiture against Wm. M. Brown.

The Senate went into executive session on said message.

The Senate advised and consented to remitting the forfeiture.

On motion of Mr. Alcorn, the executive session was dissolved.

The Senate then took up the bill to attach a portion of Tallahatchie county to that of Sunflower.

Mr. Alcorn offered an amendment as an engrossed ryder.

The question was taken on the adoption of the amendment, and decided in the affirmative by ayes and noes as follows :

AYES.—Mr. President, and Messrs. Adams, Alcorn, Cobb, Farrar, Greer, Graves, Hough, McWillie, Oliver, Ramsay and Stuart—12.

NAYS.—Messrs. Allen, Beene, Johnston, Koger, Pegues, Steele, West and Webb—8.

Mr. Greer called up House bill entitled an act to restore the competency of jurors and witnesses in certain cases, and for other purposes;

Which was read the first time.

On motion of Mr. Greer, the rule was suspended, the bill read the second and third times and passed:

Ordered, that the title thereof stand as stated.

Mr. Oliver introduced a bill to be entitled,

An act to amend an act entitled an act to provide for leveeing the Mississippi river, in the county of Tunica, approved March 4th, 1848;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, and the bill read the second time by title, and referred to a select committee of three.

The President appointed on said committee, Messrs. Oliver, Alcorn and Acker.

Mr. Adams called up Senate bill entitled,

An act granting to the New York Law Institute copies of the State laws of the State of Mississippi;

Which was read the second time.

On motion of Mr. Adams, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled,

An act to authorize the North Alabama and Grand Junction Rail Road Company, to extend their Rail Road from the west boundary line of the State of Alabama, to the town of Columbus, in Mississippi;

Which is herewith returned to the Senate.

Also, a House bill entitled an act to authorize Madison McAfee to have the books in his office posted, and for other purposes;

In which the concurrence of the Senate is desired.

Mr. Adams called up House bill entitled,

An act to provide for a new code of laws for the State of Mississippi, and for other purposes;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Adams, the rule was further suspended, and the bill read the third time.

Mr. Adams moved to amend by an engrossed ryder;

Which was lost.

The question was then taken on the passage of the bill, and decided in the affirmative by ayes and noes as follows:

AYES.—Messrs. Adams, Alcorn, Allen, Beene, Banks, Ellett, Farrar, Hemingway, Johnston, Koger, McWillie, Monroe, Oliver, Pegues, Stuart and Webb—16.

NAYS.—Mr. President, and Messrs. Acker, Arthur, Berry, Graves, Hough, Ramsay and Steele—8.

On motion of Mr. Adams, the Senate insisted on the amendment made by the Senate to the bill from the House, entitled an act to increase the revenues of the county of Hinds.

On motion of Mr. Adams, the Senate concurred in the amendments made by the House to Senate bill entitled an act making provision for the repair of the Capitol and Executive Mansion, and for other purposes.

Mr. Hemingway called up House bill entitled an act to compel persons interested to testify in certain cases ;

Which was read the first time.

On motion of Mr. Hemingway, the rule was suspended, the bill read the second time, and referred to the Judiciary Committee.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled an act to provide for completing and furnishing the Lunatic Asylum,

And have amended the same ;

In which the concurrence of the Senate is desired.

On motion of Mr. Ellett, the Senate concurred in the amendment made by the House, to a Senate bill entitled an act to provide for the completing and furnishing the State Lunatic Asylum.

Mr. Oliver called up House bill entitled

An act to authorize Madison McAfee to have the books in his office posted ;

Which was read the first time.

On motion of Mr. Greer,

The Senate took a recess until this evening at 7 o'clock.

EVENING SESSION, 7 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Allen called up House bill entitled

An act to incorporate the Coffeerville and Pittsboro' Plank Road Company ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, and the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to incorporate the Coffeerville Female Institute ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to authorize T. H. Judson, administrator of the estate of S. Caldwell to compromise with debtors of said estate ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, and the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to incorporate Octograde Seminary, in Yallobusha county ;

Which was read the second time.

On motion of Mr. Allen, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to authorize J. Alston, H. H. Bridges, administrators of W. H. Shaw, deceased, to compromise and adjust certain claims of that estate ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to change the name of Martha Ann Lewis to that of Martha Ann Beauchamp ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to authorize the clerk of the Circuit Court of Yallobusha county to index the books and refile the papers in his office ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act to promote Common Schools in this State, so far as relates to Calhoun county ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times.

Mr. Allen called up House bill entitled

An act for the relief of Thomas H. Davis, late assessor of Calhoun county ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, and the bill read the second time by title.

On motion, the bill was laid on the table.

Mr. Allen called up House bill entitled

An act to amend an act to incorporate Grenada Turnpike and Ferry Company ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, and the bill read the second time by title.

Mr. West moved to amend the first section as follows :

Amend by adding to the end of the first section,

Provided, The consent of the owners of both the lower and upper ferries, be first had, and the consent of the owners over whose lands the new road may run.

Mr. Banks moved to lay the bill and amendment on the table ;

Which motion was carried.

Mr. Allen called up House bill entitled

An act to prohibit the sale of vinous or spiritous liquors in the town of Grenada, and for other purposes ;

Which was read the first time.

On motion of Mr. Allen, the rule was further suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill entitled

An act to amend an act to incorporate the Trustees of Silver Creek Church, in the county of Yazoo ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill entitled

An act for the benefit of Moses M. Munholland, and Lorenzo Munholland, minors, of Yazoo county ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time by title.

Mr. Ellett moved to amend, by inserting the name of L. A. Campbell, of Claiborne county ;

Which was adopted.

The rule was suspended, the bill read the third time, and passed, by ayes and noes, as follows :

AYES.—Mr. President, Messrs. Acker, Arthur, Allen, Beene, Banks, Ellett, Farrar, Johnston, Koger, McWillie, Monroe, Pegues, Ramsay, and Stuart—15.

NAYS.—Messrs. Berry, Greer, Hemingway, Hough, Nelson, Oliver, and West—7.

Mr. Johnston called up House bill entitled

An act to amend an act to reduce the fees of certain officers

therein named, approved Feb. 10, 1844, so far as the same relates to said county ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill entitled

An act to amend an act to incorporate the Trustees of 16th section of township 10, range 2 east, in Madison and Yazoo counties, approved Feb. 24, 1842 ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill to be entitled

An act to secure the titles on sales for Levee taxes ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston called up House bill entitled

An act for the relief of Andrew J. Howard ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Johnston introduced a bill entitled

An act to amend an act entitled an act to amend an act entitled an act to establish the Commercial Bank of Manchester ;

Which was read the first time.

On motion of Mr. Johnston, the rule was suspended, and the bill read the second time by title.

Mr. Ellett moved to amend as follows, which was adopted :

Provided, That nothing herein contained, shall in any manner affect any proceeding against said bank, for a forfeiture of the charter heretofore incurred.

On motion of Mr. Johnston, the bill was ordered to be engrossed, and made the order of the day for to-morrow, at 12 o'clock.

Mr. Koger called up House bill entitled

An act to amend the several acts incorporating the town of Macon, in Noxubee county ;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger called up House bill entitled

An act to authorize Dorset White to erect a toll bridge across Noxubee river, in the county of Noxubee :

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger introduced a bill entitled

An act to provide Patrols in the county of Noxubee ;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Hemingway called up House bill entitled

An act to declare First, Second, and Third Bayous, in the county of Carroll, navigable streams ;

Which was read the third time and passed.

Ordered. That the title thereof stand as stated.

Mr. Hemingway introduced a bill entitled,

An act to further extend the corporate limits of the town of Carrollton ;

Which was read the first time.

On motion of Mr. Hemingway, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Hemingway introduced a bill entitled

An act for the relief of Martha J. Jones ;

Which was read the first time.

On motion of Mr. Hemingway, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Hemingway called up House bill entitled

An act to extend the time of Executions, in the county of Choctaw, and for other purposes ;

Which was read the first time.

On motion of Mr. Hemingway, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Hemingway introduced a memorial to the Congress of the U. S., asking for a grant of land to aid the new Orleans and New York Railroad ;

Which was read the first time.

On motion, the rule was suspended, the memorial read the second time and adopted.

On motion of Mr. Ramsay, the Senate concurred in the amendment made by the House, to the memorial to the Congress of the United States, asking for a grant of land to aid in the construction of the Ship Island Railroad.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Gover-

nor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to legalize the lease of section 16, township 12, range 5 east, in the county of Copiah, and for other purposes.

An act for the relief of James T. Rucks.

An act to remove the Vice Chancery Court from Columbus to Macon, in Noxubee county.

An act for the relief of James H. Yerger.

An act in relation to the bonds of public officers, executors, administrators, and guardians, in the county of Simpson.

An act to legalize the lease of sec. 16, town. 10, range 21 west, in Simpson county..

An act to amend an act entitled an act to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein, passed 27th Nov., 1821.

The following message was received from the House of Representatives, by their clerk, Mr. E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to provide for the appropriation of the swamp lands in the Southern District of Pearl river.

An act to prohibit the sale or distribution of vinous and spiritous liquors within five miles of Zion Seminary;

Which are herewith returned to the Senate.

The House of Representatives have passed a bill of the following title, to-wit :

A bill to be entitled an act to provide for the erection of suitable buildings for the instruction of the deaf and dumb, and blind, and for other purposes ;

In which the concurrence of the Senate is desired.

Mr. Ramsay called up House bill entitled an act to incorporate the city of Shieldsborough.

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act to amend an act to incorporate the Ship Island Rail Road Company, approved March 5th, 1850;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill to be entitled,

An act to amend an act entitled an act to establish a common school system in the town of Shieldsborough, in the county of Hancock, approved February 5, 1852;

Which was read the first time.

On motion of mr. Ramsay, the rule was suspended, the bill read the second time by title.

On motion of mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act to authorize Donald McBean to build a bridge across Bernard's bayou, in Harrison county;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act to authorize and provide for transcribing the records of the Circuit and Probate Courts of Jackson county;

Which was read the first time.

On motion of mr. Ramsay, the rule was suspended, the bill read the second time.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act to increase the fees of certain officers therein named, for the county of Harrison;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act for the relief of Stephen Featherston.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Ramsay called up House bill entitled,

An act to prevent the sale of vinous liquors in the town of Polkville, in the county of Smith;

Which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene called up House bill entitled,

An act for the relief of Albert James, former sheriff of Itawamba county;

Which was read the first time.

On motion of Mr. Beene, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Monroe called up House bill entitled,

An act to allow fees to Justices of the Peace, in certain case herein named, in the county of Newton ;

Which was read the first time.

On motion of Mr. Monroe, the rule was suspended, and the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Nelson called up House bill entitled,

An act to amend an act to incorporate the town of Liberty, in the county of Amite ;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled,

An act to incorporate the Hernando and Cold Water Turnpike Company ;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. West introduced a memorial to Congress ;

Which was read the first and second times and adopted.

Mr. West called up House bill entitled,

An act to amend the common school laws, so far as relates to Jones county ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled an act for the better protection of securities in this State ;

Also, in Senate amendments to House bill entitled an act to amend the several attachment laws of this State.

The House of Representatives have passed a bill to be entitled an act to authorize the Mayor and Aldermen of the city of Jackson to levy a special tax for the support of the public schools in said city ;

In which the concurrence of the Senate is desired.

Also, a Senate bill entitled an act to authorize the city of Vicksburg to subscribe for stock in the Vicksburg, Shreveport and Texas Rail Road.

Mr. Ellett introduced a bill entitled an act to regulate the manner of empannelling grand juries in the counties of Tippah, Jefferson, Claiborne and Holmes ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, and the bill read the second time.

Mr. West amended by adding the county of Holmes.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill entitled,

An act to incorporate the town of Philadelphia, in the county of Neshoba ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up House bill entitled,

An act to amend the Probate laws of this State, and for other purposes ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, the bill read the second time by title.

Mr. Ellett moved to amend the first section by striking out "12 1-2 cents," and insert "15,"

Which was adopted.

Mr. Ellett moved to amend by striking out the 8th section ;

Which was adopted.

Mr. Ellett moved to amend the twelfth section by adding : " And all Probate Courts in this State shall have power to issue citations and other process to any county in this State, to be executed in the same manner, and under the same penalties as like process from the Circuit Courts ;"

Which was adopted.

Mr. Ellett moved to amend the 13th section, as follows : " And the vouchers and exhibits filed with said account, shall not be computed or taken as a part of the account in taxing the fees ;"

Which was adopted.

Mr. Ellett moved to amend by two additional sections ;

Which were adopted.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill entitled,

An act to authorize the Trustees of the Institution for the instruction of the Blind, to purchase a lot of ground adjoining said institution :

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Pegues introduced a bill entitled,

An act to incorporate the Union Female College, of the Cumberland Presbyterian Church, at Oxford, Mississippi ;

Which was read the first time.

On motion of Mr. Pegues, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Hemingway called up House bill entitled,

An act to extend the provisions of an act concerning the appointment and duties of county treasurers, approved 18th June, 1822, so far as relates to the county of Choctaw, and for other purposes ;

Which was read the first time.

On motion of Mr. Hemingway, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Pettus, the Senate disagreed to the amendment made by the House to the Senate bill in relation to the Grand Gulf and Port Gibson Rail Road Company.

Mr. Farrar introduced a joint resolution supplemental to a resolution passed by the present Legislature, instructing the Attorney-General to collect a debt due the State from Jefferson College ;

Which was read the first time.

On motion of Mr. Farrar, the rule was suspended, the resolution read the second time and adopted.

On motion of Mr. Hemingway,

The Senate adjourned until 9 o'clock, to-morrow morning.

WEDNESDAY, MARCH, 1, 1854.

The Senate met pursuant to adjournment.

A call of the Senate was had, and the absentees sent for.

On motion of Mr. Hemingway, the further call of the Senate was suspended.

Mr. Webb called up House bill entitled

An act to change the time of holding the Probate Court in Pontotoc county ;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Koger, from a joint committee, made the following report :

MR. PRESIDENT—The joint committee of the two Houses, to whom was referred a joint resolution on the clerk's offices, beg leave to report by bill.

The bill was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill was read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. West called up House bill entitled

An act to establish a separate Inferior Court of Chancery, in each county of this State, and for other purposes ;

Which was read the first time.

On motion of Mr. Ramsay, the bill was laid on the table.

Mr. Greer moved to take up the apportionment bill.

A call of the Senate was had, and the absentees sent for.

On motion of Mr. Koger, the further call was suspended.

The question was taken on taking up the bill,

And decided in the affirmative, by ayes and noes, as follows :

YEAS — Mr. President, Messrs. Acker, Allen, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, Steele, and Webb—14.

NAYS—Messrs. Adams, Arthur, Banks, Ellett, Farrar, Graves, Hough, Johnston, Nelson, Ramsay, Stuart, and West—12.

A call of the Senate was had, and the absentees sent for.

On motion of Mr. Greer, the further call of the Senate was suspended.

Mr. West moved a re-consideration of the vote token on adopting the amendment offered by Mr. Adams, to the apportionment bill.

Mr. Adams moved to postpone the whole subject until to-morrow at 3 o'clock, p. m.;

Which was decided in the negative, by ayes and noes, as follows :

AYES—Messrs. Adams, Alcorn, Arthur, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay, and Stuart—13.

NAYS—Mr. President, Messrs. Acker, Allen, Beene, Bennett, Banks, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, Steele, West, and Webb—17.

The question was then taken on the re-consideration of the vote adopting Mr. Adams' amendment,

And decided in the affirmative, by ayes and noes, as follows :

AYES — Mr. President, Messrs. Adams, Arthur, Allen, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, McWillie, Monroe, Nelson, Ramsay, Stuart, and West—18.

NAYS—Messrs. Alcorn, Acker, Beene, Berry, Greer, Hemingway, Koger, Oliver, Pegues, Reynolds, Steele, and Webb—12.

Mr. Berry moved to lay the amendment on the table ;

Which was decided in the affirmative.

The Senate then went into committee of the whole, on the bill, Mr. Alcorn in the chair.

After some time spent therein, the committee rose, and through their Chairman, made the following report :

MR. PRESIDENT—The committee of the whole have had under their consideration, a bill to be entitled an act to apportion the Senators and Representatives in this State, and have adopted a substitute therefor, and have instructed me to report the same back to the Senate, as amended, and recommend its passage. I move that the report be received and agreed to.

Which was decided in the affirmative, by ayes and noes, as follows :

YEAS—Messrs. Adams, Alcorn, Arthur, Allen, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay, and Stuart—16.

NAYS—Mr. President, Messrs. Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, Steele, and Webb—13.

Mr. Arthur moved to make it the order of the day for 11 o'clock to-morrow, in committee of the whole,

Which was decided in the affirmative, by ayes and noes, as follows :

YEAS—Messrs. Adams, Alcorn, Arthur, Allen, Bennett, Banks, Cobb, Ellett, Farrar, Graves, Hough, Johnston, Monroe, Nelson, Ramsay, and Stuart—16.

NAYS—Mr. President, Messrs. Acker, Beene, Berry, Greer, Hemingway, Koger, McWillie, Oliver, Pegues, Reynolds, Steele, and Webb—13.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed Senate bill of the following title :

A bill to be entitled an act to grant pre-emptions to certain lands in the State of Mississippi.

The House of Representatives have concurred in the Senate amendments to the House bill, to amend the Probate Laws of this State.

The House of Representatives have receded from their amendment, made to the Senate bill, entitled

An act to amend an act to incorporate the Grand Gulf and Port Gibson Railroad Company.

The bill is herewith returned to the Senate.

The House of Representatives have passed a Senate bill entitled

An act to regulate the mode of selecting and empannelling Grand Jurors in the counties of Tippah, Claiborne, Jefferson, and Holmes.

And have amended the same.

In which the concurrence of the Senate is desired.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on 'Enrolled Bills, have this day examined bills of the following titles :

An act to provide for the further issue of Swamp Land Scrip for the purpose of aiding in the completion of Levees upon the Mississippi river.

An act for the benefit of Sunflower county.

An act to establish a Ferry across Yazoo river, at the residence of Rachael Byrne, in the county of Sunflower, and for other purposes.

An act to increase the per diem pay of the members of the Board of Police of Attala county.

An act to establish a system of common schools, in the county of Tishemingo, and for other purposes.

An act for the benefit of Thomas Shelby, late sheriff of Washington county. ?

An act to be entitled an act to incorporate Westminster Academy, in the county of Tippah ;

An act to incorporate the Tippah County Plank Road Company.

An act to amend the charter of Jefferson College.

An act for the benefit of Indiana Burnet, of Warren county.

An act to amend the laws in relation to strays and the office of Ranger, in the county of Warren.

An act to incorporate Newton Lodge, No. 51, I. O. O. F., in the county of Wilkinson.

An act to incorporate Newton College.

An act to change the name of Eveline Deloach Ligon to that of Eveline Deloach McNulty.

An act to amend an act incorporating the town of Woodville, in Wilkinson county, approved 10th, Feb., 1836.

An act granting leave of absence to the Hon. Stanhope Posey, Judge of the first Judicial District, and for other purposes.

An act to dispose of the estate of A. F. Blades, and for other purposes.

An act to incorporate the Rector, Church Warden and Vestrymen of St. Paul's Church, at Woodville.

An act supplemental to an act to establish a ferry at Vicksburg.

An act to amend the 4th section of an act to provide for the leveeing the Mississippi river, in the county of Bolivar, so far as relates to the county of Washington.

And have found the same correctly enrolled.

An act to amend the Attachment Laws of this State.

An act to incorporate the town of Winstonville, in the county of Winston.

An act to amend the several statutes of Limitation, now in force in this State.

An act in relation to Landlord and Tenant, in the city of Vicksburg, and county of Warren, and for other purposes.

An act for the better protection of Securities in this State.

An act to restore the competency of Jurors and Witnesses, in certain cases, and for other purposes.

An act to authorize the printing of the first annual report of the Agricultural and Geological survey of the State.

An act to provide for a new Code of Laws for the State of Mississippi, and for other purposes.

An act for the appointment of the necessary officers to take charge of the State Lunatic Asylum, and for other purposes.

An act to aid in the establishment of a school system in Franklin county.

An act amendatory of the Revenue Laws of the State, and for other purposes.

An act to authorize the North Alabama and Grand Junction Railroad Company, to extend their railroad from the west boundary line of the State of Alabama, to the town of Columbus, in the State of Mississippi.

An act in reference to the rate of interest.

An act to repeal an act entitled an act to prevent the sacrifice of real estate, sold under execution, decrees of Chancery, and deeds of trust, passed 28th Feb., 1852.

An act to authorize the City of Vicksburg, to take stock in the Vicksburg, Shreveport and Texas Railroad Company, and to submit the question to the voters of said city.

An act to be entitled an act to grant the right of way to the Memphis and Charleston Railroad Company, and for other purposes.

An act to prohibit the sale or distribution of vinous and spiritous liquors within four miles of Zion Seminary.

An act to amend an act entitled an act to incorporate the Grand Gulf and Port Gibson Railroad Company.

An act to amend an act to provide for the appropriation of the swamp lands in the southern district of Pearl river.

And have found the same correctly enrolled.

They have also presented the above named bills to his Excellency the Governor, for his signature and approval.

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his signature and approval:

An act to provide for the further issue of swamp land scrip, for the purpose of aiding in the completion of the Levees upon the Mississippi river.

An act for the benefit of Sunflower county.

An act to establish a ferry across Yazoo river, at the residence of Rachael Byrne, in the county of Sunflower, and for other purposes.

An act to increase the per diem pay of the members of the Board of Police of Attala county.

An act to establish a system of Common Schools in the county of Tishemingo, and for other purposes.

An act for the benefit of Thomas Shelby, late sheriff of Washington county.

An act to be entitled an act to incorporate Westminster Academy, in Tippah county.

An act to incorporate the Tippah county Plank Road Company.

An act to amend the charter of Jefferson College;

An act for the benefit of Indiana Burnet, of Warren county.

An act to amend the laws in relation to strays, and the office of Ranger, in the county of Warren.

An act to incorporate Newton Lodge, No. 51, I. O. O. F., in the county of Wilkinson.

An act to incorporate Newton College.

An act to change the name of Eveline Deloach Ligon to that of Eveline Deloach McNulty.

An act to amend an act incorporating the town of Woodville, in Wilkinson county, approved 10th Feb., 1836.

An act granting leave of absence to the Hon. Stanhope Posey, Judge of the first Judicial District, and for other purposes.

An act to dispose of the estate of A. F. Blades, and for other purposes.

An act to incorporate the Rector, Church Wardens and Vestrymen, of St. Paul's Church, at Woodville.

An act supplemental to an act to establish a Ferry at Vicksburg.

An act to amend the 4th sec. of an act entitled an act to provide for the leveeing the Mississippi river, in the county of Bolivar, so far as relates to the county of Washington.

An act making provision for the repair of the Capitol and Executive mansion, and for other purposes.

They have also presented to his Excellency the Governor, for his signature and approval, bills of the following titles:

An act to be entitled an act to legalize the lease of section 16, town. 10, range 21 west, in Simpson county.

An act in relation to the bonds of public officers, executors, administrators, and guardians, in the county of Simpson.

An act to incorporate the Deer Creek and American Bend Railroad Company, and for other purposes.

An act for the relief of James H. Yerger.

An act to remove the Vice Chancery Court, from Columbus to Macon, in Noxubee county.

An act for the relief of James T. Rucks.

An act to legalize the lease of sec. 16, town. 12, range 5 east, in the county of Copiah, and for other purposes.

An act to amend an act entitled an act to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein, passed Nov. 27, 1821.

On motion of Mr. Greer,

The Senate took a recess until this afternoon at 3 o'clock, p. m.

AFTERNOON SESSION—3 O'CLOCK, P. M.

The recess having expired, the Senate met.

On motion of Mr. Berry, the Senate concurred in the amendments made by the House to a bill to regulate the mode of selecting and empannelling grand jurors in this State.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act supplemental to an act to charter the ferry at Vicksburg.

An act to amend and reduce into one the act incorporating the City of Natchez, and the several acts amendatory thereto.

An act to establish a ferry across the Yazoo river, at the residence of Rachael Byrne, in the county of Sunflower, and for other purposes.

An act for the benefit of Sunflower county.

An act to increase the per diem pay of members of the Board of Police of Atalla county.

Mr. Ellett called up House bill entitled,

An act to increase the number of Laws and Journals, printed for distribution;

Which was read the second time.

Mr. Webb moved to amend by an additional section;

Which was adopted.

Mr. Alcorn moved to strike out "journal," where it occurs in the bill;

Which was adopted.

Mr. Webb moved to indefinitely postpone the bill;

Which was lost.

The bill was then made the special order for to-morrow, after reading the Journal.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT—The House of Representatives have concurred in the Senate amendment made to the House bill entitled an act for the benefit of Moses M. Munholland and Lorenzo Munholland.

The House of Representatives have passed a Senate bill entitled,

An act granting pre-emption rights to actual settlers upon the

swamp and overflowed lands granted to the State of Mississippi, by the act of Congress, of the 28th September, 1850;

Which is herewith returned to the Senate.

Mr. Alcorn introduced a bill entitled,

An act for the better regulation of the levee laws in the counties of Tunica, DeSoto, Bolivar, Coahoma, Washington and Issaquena ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Alcorn, from a select committee made the following report :

MR. PRESIDENT—The select committee to whom was referred bill to be entitled an act to provide for leveeing the Mississippi river; in the county of Tunica, approved March 4th, 1848, have instructed me to report the substitute herewith—also, to amend the title of the bill by striking out the title and inserting the following as the title thereof:

A bill to be entitled an act amendatory of the levee laws now in force in the counties of Coahoma and Tunica.

The bill was read the first time.

On motion of Mr. Alcorn, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver, from the committee on Accounts, made the following report, which was received :

REPORT OF THE COMMITTEE ON ACCOUNTS:

The committee on Accounts, whose duty it is to examine the books of the Auditor of Public Accounts, the Treasurer, Secretary of State, the State Commissioner and Executive Contingent Fund, together with the vouchers in their offices, and report thereon to the Legislature, have discharged that duty as well as the limited time allowed them from their other duties, in either branch of the Legislature, would permit. The committee are aware that their examination was not as full and searching as the importance of the interests involved in those offices and the finances of the State require. A larger amount of business has been transacted in those offices within the last two fiscal years, than in any other period of like duration since the formation of the Government. Under such a state of facts, your committee were wholly unable, for want of time, to examine many of the laws authorizing drafts upon the Treasury, by which to ascertain the legality or illegality of the claims allowed and paid by the State, which should be done in all cases, in order to detect errors or mistakes. So far as their examination did extend, the committee find that most of the accounts allowed by the Auditor, and paid by the Treasurer, were in strict conformity to the law. There is one class of accounts, however,

that your committee believe have been made against the State contrary to law, by sundry individuals entitled to mileage, under the statutes of this State; as to some of those persons, members of the Legislature for instance. The law is plain and explicit, that mileage is to be estimated by the nearest route of land travel—yet, some members of the Legislature charge by some circuitous route, which, in some instances, is nearly or quite double the distance by land—members from the same counties sometimes differing in their charge for mileage, to the amount of eighty or one hundred dollars. The law governing sheriffs, electors, &c., is not so explicit in its enactments; consequently, many of the sheriffs transport their prisoners, guards, &c., by water, charging the State mileage estimated by railroad and river routes; which your committee believe is not in accordance with the spirit of the law, but, on the contrary, highly detrimental to the interest of the State, large amounts having been paid in the course of years to those officers and guards for mileage, for themselves and prisoners. Some specified directions should be given by law or resolution, to the Auditor of Public Accounts, for his direction in future settlements with sheriffs, for mileage. The distance from Hernando, in DeSoto county, by the nearest land route of travel does not exceed 240 miles, if so much, and yet by warrant No. 1088, A. Bullington, Deputy Sheriff of DeSoto county, charged the State for 522 miles of travel, for convict John Moore, from that town to the State Penitentiary, at the rate of \$2 per 30 miles—\$34 80 cents; self and two guards, 3132 or 1044 miles each, at \$3 per 30 miles, amounting to \$313 20-100, and 80 cents tolls, amounting in all to \$348 80-100; whereas, by the land route, the legal charge for the previous mileage would have been \$16, and for himself and two guards \$144, making in all \$160, instead of \$348 80, the amount actually paid out of the treasury for that service—the State thereby losing \$188 80 by that transaction. The distance to Holly Springs from Jackson, does not exceed, as your committee believe, 250 miles by the land route, yet by reference to warrant 1230, in the Auditor's office, it will be seen that James H. Jenkins, Deputy Sheriff of Marshall county, charged for 500 miles of travel, of 4 convicts, viz: Beck, McMahon, Sawyer and Wentworth, from Marshall county to State Penitentiary, \$133 35-100, and for 1000 miles travel of self and twelve guards, in coming and returning, \$1,300, amounting in the whole to the sum of \$1,433 35, which service, by the land route as contemplated by law, would have amounted to \$715, thereby causing a loss to the treasury, on that transaction, of \$718 35-100. By reference to warrants in the same office, Nos. 253 and 254, it will be seen that Thomas Powell, Sheriff of Marshall county, charged and was paid by the State for 1000 miles travel of self and two guards, in conveying Calvin Bryant from said county to the State Penitentiary, at \$3 per 30 miles—\$300; and for 500 miles of travel for said convict, at \$2 per 30 miles,

\$33 33, making the whole amount \$333 33, instead of \$152, which the law allows, thereby causing a loss to the treasury of \$181 33. In the opinion of your committee, the State has been made to pay for conveying six prisoners to the Penitentiary, from those two counties alone \$1088 48-100 more than the law, strictly construed, would allow. It is proper for the committee to remark that such accounts are made out by the Sheriffs, and certified to by the Keeper of the Penitentiary and presented to the Auditor, who is directed by law to issue his warrant on the treasury, for the amount so certified, and which the Treasurer is directed to pay. The blame lies upon the Sheriffs for making, and the Keeper of the Penitentiary for allowing such accounts so made against the institution, or the State, to receive his certificate of approval. It is hoped that hereafter a more rigid scrutiny into the accounts presented for his approval will be made before he sanctions them by his certificate. On examining the books and vouchers in the Auditor's office, we find balances of various amounts outstanding against various tax collectors of different counties, which your committee thought it their duty to report to the legislature, which is herewith presented in tabular form, as part of their report. The books and papers in the Auditor's office have been neatly kept, and as far as posted found correct; but from the 21st September, 1852, the Ledger is not full, and from the 28th of February, 1853, the Journal is not posted. It is due to the late Auditor, Mr. Russell, to state that he assigns the late epidemic as the cause why the books were not posted before his term of office expired. Your committee would recommend that some provision be made to have the books posted at an early day, least the public interest should suffer by the delay. The mileage charged by members of the Legislature, from the various counties of this State, has already been published by order of the House of Representatives, to which the committee refer the Legislature for full information on that subject. It only remains for them to add to that report the mileage charged the State, by the Electors of President and Vice-President, at the late election, viz: Warrant No. 1002, J. H. R. Taylor, from Holly Springs to Jackson and returning by river route, 1000 miles, \$200; A. M. Jackson, from Ripley to Jackson, and returning, river route, 1070 miles, \$214; E. C. Wilkinson, from Yazoo City to Jackson, and returning 320 miles, river route, \$64; W. S. Featherston, from Houston to Jackson and returning 300 miles, \$60; H. Cassedy, from Franklin county to Jackson, and returning, 170 miles, at 20 cents per 30 miles, \$28.

Your committee have examined the books and vouchers in the Treasury department, up to the 31st day of December, 1852, and find the entries and vouchers correspond, and the books posted correctly as far as their examination extended. They have counted the money in the treasury and find in that office on the 25th February, 1854, (mostly in gold,) belonging to the Chickasaw School

Fund, fifty-five thousand three hundred and ninety-nine dollars and seventy cents, (\$55,399,70.) There is in the Treasury, belonging to the Sinking Fund, one hundred and four thousand one hundred and nine dollars and thirteen cents, (\$104,109 13.) On account of the three per cent. fund, eleven thousand two hundred and seventy-eight dollars, (\$11,278 ;) and on account of general tax, twenty-eight thousand nine hundred and sixty-two dollars and seventy cents, (28,962 70.) The aggregate amount of all funds in the treasury, on the 25th of February inst., as appears from actual count, was one hundred and ninety-nine thousand seven hundred and fifty dollars and twenty-eight cents, (199,750 28.) The receipts into the Treasury from all sources from the 1st of January to the 25th of February, 1854, was fifty-two thousand seven hundred and thirty-three dollars and twenty-six cents, (\$52,733 26 ;) and the expenditures for the same period, amount to fifty-seven thousand four hundred and ninety-four dollars and fourteen cents, (\$57,494 14,) shewing an excess of expenditures over receipts, from the first of January to the 25th of February, 1854, both days inclusive, of four thousand seven hundred and sixty dollars and eighty-eight cents, (\$4,760 88.) Your committee have examined the books and vouchers in the office of the State Commissioner, and find them to agree with the report made by that officer to the Legislature, at its present session, to which your committee refer for full information relative to the condition of the business of that office. Your committee have not been able to examine the office of the Secretary of State, nor have they been able, from their limited time and the greatly increased business in the other offices, to examine the Executive Contingent Fund; and are therefore unable to make any report as to the condition of those departments.

TABULAR STATEMENT

Of Tax Collectors' indebtedness to the State of Mississippi, as appears by the Books and promiscuous Vouchers in the Auditor's Office.

COUNTY.	NAME OF SHERIFF.	NO. VOUCHER.	DATE.	AMOUNT.
Monroe	R. C. Davidson	*39	17th December, 1851	\$3 20
Tippah	H. B. Robinson	*43	16th July, 1852	1 26
same	same	*51	21st February, 1852	36
same	same	*46	29th January, 1852	1 13
same	same	*47	30th January, 1852	3 90
Washington	Thomas Shelby	*48	5th February, 1852	22 42
Tippah	H. B. Robinson	*53	27th February, 1852	1 74
same	same	*54	3d March, 1852	1 64
Winston	A. Webb	*55	4th March, 1852	1 36
Tippah	H. B. Robinson	*56	8th March, 1852	5 96
same	same	*57	11th March, 1852	1 07
same	same	*59	19th March, 1852	97
same	same	*60	29th March, 1852	2 14
Yallobusha	Daniel Robertson	61	30th March, 1852	2 73
Leake	T. P. Marion	62	20th April, 1852	68
Tunica,	C. May	62½	22d April, 1852	1 18
Tippah	H. B. Robinson	* 1	7th May, 1852	1 26
Holmes	O. W. Beall	*11	4th June, 1852	3 78
Tippah	H. B. Robinson	*12	4th June, 1852	93

Monroe	.....	D. H. Morgan.....	13	.....	5th June, 1852.....	7	29
Smith	.....	L. E. Crook.....	14	.....	8th June, 1852.....	5	88
Jones	.....	A. G. Pool.....	15	.....	8th June, 1852.....	12	07
Carroll	.....	W. P. Bole.....	*18	.....	30th July, 1852.....		94
Ittawamba	.....	Joseph Woodruff.....	20	.....	26th August, 1852.....	1	99
Winston	.....	John J. Gage.....	21	.....	30th August, 1852.....		43
Tunica	.....	J. P. Caruthers.....	*25	.....	9th October.....	19	23
De Soto	.....	J. W. Dixon.....	27	.....	12th October.....	2	17
Chickasaw	.....	W. L. Baskins.....	37	.....	25th October.....	4	68
Tippah	.....	H. B. Robinson.....	*38	.....	25th October.....	1	65
De Soto	.....	J. W. Dixon.....	39	.....	25th October.....	1	12
Panola	.....	W. W. Smith.....	40	.....	25th October.....	1	26
Marshall	.....	Thomas Powell.....	41	.....	25th October, 1852.....		66
Attala	.....	A. P. Boyd.....	*92	.....	17th January, 1853.....	5	26
Yazoo	.....	J. Fuqua.....	*95	.....	21st January, 1853.....	8	59
Holmes	.....	O. W. Beall.....	*101	.....	31st January, 1853.....	6	60
Yalobusha	.....	T. H. Judson.....	103	.....	5th January, 1853.....	1	11
Carroll	.....	W. Bole.....	*110	.....	22d February, 1853.....		96
Choctaw	.....	Seth C. Platner.....	*110½	.....	26th February, 1853.....		53
Winston	.....	A. Webb.....	*114	.....	4th March, 1853.....	4	56
Chickasaw	.....	W. L. Baskins.....	117	.....	11th March, 1853.....	26	07
Holmes	.....	O. W. Beene.....	118	.....	11th March, 1853.....	2	21
Attala	.....	E. H. Sanders.....	134	.....	2d April, 1853.....		84
Washington	.....	Thomas Shelby.....	*132	.....	31st March, 1853.....	19	67
Hinds	.....	J. P. Oldham.....	*130	.....	28th March, 1853.....	5	48
Monroe	.....	R. C. Davidson.....	*126	.....	25th March, 1853.....	3	74
Yazoo	.....	J. W. Fuqua.....	*125	.....	24th March, 1853.....	13	80

TABULAR STATEMENT—Continued.

COUNTY.	NAME OF SHERIFF.	NO. VOUCHER.	DATE.	AMOUNT.
Yazoo	M. A. Jenkins.....	124	24th March, 1853.....	6 03
Itawamba	A. James.....	*121	21st March, 1853.....	8 84
De Soto	J. W. Dixon.....	120	21st March, 1853.....	8 62
Monroe	Green Roberts.....	*33	27th June, 1853.....	3 57
Hinds	R. N. Downing.....	*34	28th June, 1853.....	5 04
Tallahatchie	A. G. Murphy.....	*36	6th July, 1853.....	3 34
Itawamba	Joseph Woodruff.....	*39	14th July, 1853.....	8 74
Tippah	Robert Davenport.....	*43	25th July, 1853.....	31
Hinds	J. P. Oldham.....	*46	27th July, 1853.....	47
Monroe	D. H. Morgan.....	*47	1st August, 1853.....	5 71
Choctaw	Seth C. Platner.....	*50	10th August, 1853.....	1 26
Noxubee	J. R. Cayitt.....	*52	11th August, 1853.....	27 69
Itawamba	J. Woodruff.....	*53	12th August, 1853.....	40
Sunflower	T. G. Ellsburry.....	*55	12th August, 1853.....	2 71
Choahoma	L. L. Bridges.....	*56	12th August, 1853.....	3 05
Yazoo	J. W. Fuqua.....	*1	2d May, 1853.....	1 75
Hinds	J. P. Oldham.....	*2	3d May, 1853.....	2 57
Hinds	J. P. Oldham.....	*3	3d May, 1853.....	1 28
Chickasaw	W. L. Baskins.....	*5	6th May, 1853.....	13 86
Hinds	J. P. Oldham.....	*7	12th May, 1853.....	1 75
Itawamba	A. James.....	*8	12th May, 1853.....	3 78
same	J. Woodruff.....	*9	12th May, 1853.....	1 10

Tippah	.....	H. B. Robinson.....	*15	.....	19th May, 1853.....	94
Carroll	.....	W. P. Bole.....	*145	.....	25th April, 1853.....	1 09
Hinds	.....	J. P. Oldham.....	*149	.....	29th April, 1853.....	6 59
Washington	.....	Thomas Shelby.....	*17	.....	28th April, 1853.....	9 06
Hancock	.....	John Graves.....	*19 $\frac{3}{4}$	.....	31st May, 1853.....	1,061 60
Rankin	.....	W. A. Butler.....	*21	.....	4th June, 1853.....	3 44
Hinds	.....	J. P. Oldham.....	*22	.....	8th June, 1853.....	1 42
Issaquena	.....	D. W. C. Bonner.....	*24	.....	9th June, 1853.....	11 95
Bolivar	.....	C. J. Field.....	*23	.....	9th June, 1853.....	23 90
Oktibbeha	.....	M. F. Westbrook.....	*25	.....	11th June, 1853.....	89
Calhoun	.....	A. M. Wilson.....	*27	.....	14th June, 1853.....	44
Tippah	.....	Hugh B. Robinson.....	*30 $\frac{1}{2}$	.....	17th June, 1853.....	1 33
Warren	.....	Clayborn Steele.....	*31	.....	24th June, 1853.....	12 83
Hancock	.....	John Graves.....	*62	.....	19th August, 1853.....	29 37
Hinds	.....	J. P. Oldham.....	*68	.....	6th September, 1853.....	87
Monroe	.....	D. H. Morgan.....	77	.....	28th October, 1853.....	41
Panola	.....	W. W. Smith.....	78	.....	28th October, 1853.....	65
Hinds	.....	J. P. Oldham.....	*81	.....	2d November, 1853.....	8 94
same	.....	same.....	*88	.....	15th November, 1853.....	8 18
Winston	.....	A. Webb.....	*97	.....	6th December, 1853.....	3 38

* Those marked thus (*) have not settled with the Auditor. Those not marked, the committee were unable to discover from the Books, (they not being posted,) that they had paid in the several amounts charged to them in the promiscuous vouchers, filed in the office.

Mr. Johnston introduced a joint resolution in relation to appointing a joint committee to complete the examination of the Treasurer's, Secretary of State's and Governor's offices ;

Which was adopted.

The President appointed on said committee, Messrs. Bennett and Arthur.

By leave of the Senate, the following report was permitted to be spread upon the Journal :

The undersigned, Senators, ask leave to state upon the Journal of the Senate, that they voted against the bill entitled : An act to aid in the construction of the New Orleans, Jackson and Great Northern Railroad in the State of Mississippi, and for other purposes, for the following among other reasons, to-wit :

1. Because the appropriation made by said act, and payable in cash out of the treasury, will absorb the entire amount of the revenue to come in during the present spring from the taxes assessed in 1853, and will necessarily leave the treasury entirely destitute of any available means whatever, during the ensuing twelve months, for the payment of salaries or any other necessary expenses of the State government.

2nd. Because the said appropriation will render it necessary to double the State taxes for the present year, or otherwise to leave the treasury in the same state of destitution during the year 1855.

3rd. Because said act contains no sufficient security or protection for the interests of the State, proposed to be invested in said railroad.

The undersigned are also of opinion that said bill has not passed the Senate by a constitutional majority. The eighth section of the seventh article of the Constitution provides, that "no money from the treasury shall be appropriated to objects of internal improvement, unless a bill for that purpose be approved by two thirds of both branches of the Legislature." The present bill was passed by a vote of fifteen in the affirmative, to fourteen in the negative.

H. T. ELLETT,
SIMEON OLIVER,
ALEX. H. ARTHUR.
ROBERT GRAVES, Jr.
A. E. REYNOLDS,
A. K. FARRAR,
R. O. BEENE.
WALTER JOHNSTON.

Mr. Webb, from the committee on Engrossed Bills made the following report :

MR. PRESIDENT.—The committee on Engrossed Bills have this day examined bills of the following titles :

An act for the relief of Harry W. Green, Willis Bonner and Calvin H. Moore, of Warren county, and for other purposes.

An act to amend an act entitled an act to establish the Commercial Bank of Manchester, and have found the same correctly engrossed.

Mr. Adams called up Senate bill entitled an act to amend an act to establish the Commercial Bank of Manchester.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. McWillie moved a reconsideration of the vote taken on yesterday, on the bill to establish a new code of laws of this State ;

Which was lost.

Mr. Ellett called up Senate bill entitled an act to require security for costs in certain cases, and for other purposes ;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Webb called up House bill entitled,

An act to provide for the erection of suitable buildings for the Institution of the Deaf and Dumb and Blind, and for other purposes ;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, and the bill read the second time.

Mr. Adams called up House bill entitled,

An act to authorize the Mayor and Aldermen of the City of Jackson to levy a special tax for the support of the Public Schools in said city ;

Which was read the first time.

On motion of Mr. Adams, the rule was further suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House resolution in relation to granting leave of absence to the Hon. John I. Guion and D. C. Glenn, Attorney-General ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the resolution read the second time and adopted.

Mr. Adams called up House bill entitled,

An act to incorporate the Raymond and Cooper's Well Plank Road Company, in the county of Hinds ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill entitled,

An act to provide compensation to certain sheriffs in certain cases, and for other purposes ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time.

Mr. Webb offered an amendment to the bill ;

Which was adopted.

The bill was then read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill entitled an act to amend an act to change the form of pleading in the Circuit Courts in this State;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker introduced a bill entitled an act to prevent the sale of vinous or spiritous liquors in less quantities than one gallon on any part of section 28, township 14, range 7 east, in Monroe county;

Which was read the first time.

On motion of Mr. Acker, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Acker moved a reconsideration of the vote taken on suspending the rule on the bill erecting suitable buildings for the Deaf and Dumb and Blind ;

Which was carried.

The bill was then read the second time by title.

The rule was further suspended, the bill read the third time and passed, by ayes and noes, as follows :

AYES.—Messrs. Adams, Arthur, Berry, Cobb, Farrar, Graves, Hemingway, Johnston, McWillie, Nelson, Pegues, West and Webb—13.

NAYS.—Mr. President, and Messrs. Beene, Banks, Ellett, Greer, Koger, Oliver, Ramsay and Stuart—9.

Ordered, that the title thereof stand as stated.

Mr. Pettus called up House bill entitled an act to regulate the fees of certain officers therein named, in the county of Neshoba, and for other purposes ;

Which was read the first time.

On motion of Mr. Pettus, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Beene called up House bill entitled an act to authorize the recording of powers of attorney, and for other purposes ;

Which was read the first time.

On motion of Mr. Beene, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled,

An act to incorporate Union Seminary, in DeSoto county;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled,

An act to amend an act to authorize John C. Hudson to make a turnpike in the county of Tunica;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read the second and third times and past.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act to pay jurors on inquests and on the trial of forcible entry and unlawful detainer;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act to change the mode of practice in cases of foreign attachments in Chancery;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated:

Mr. Arthur, from the committee on Claims, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on Claims, to whom was referred certain claims and accounts against the State, have had the same under consideration, and instructed me to report that all those claims deemed proper for allowance have been incorporated in an appropriation bill reported to the House of Representatives; and they further instruct me to return herewith all the papers, claims and accounts referred to them, and ask to be discharged from the further consideration thereof.

Mr. Arthur called up House bill entitled,

An act for the benefit of the grand children of the late Richard Ross;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up House bill entitled,

An act to authorize Madison McAfee to post the books in his office;

Which was read the second time.

Mr. West moved to strike out the 3rd section;

Which was lost.

On motion of Mr. Arthur,

The Senate took a recess until this evening at 7½ o'clock, p. m.

EVENING SESSION—7½ O'CLOCK, P. M.

The recess having expired, the Senate met.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill to amend the Constitution of the State of Mississippi in relation to the Chancery Courts.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The committee on Enrolled Bills have this day examined bills of the following titles, and have found the same correctly enrolled :

An act to be entitled an act to amend the Probate laws of this State, and for other purposes.

An act to incorporate the city of Shieldsborough, and for other purposes.

An act for the relief of Stephen Fatheree.

The Senate proceeded to the consideration of the bill entitled an act to authorize Madison McAfee to post the books of his office.

Mr. Hemingway offered an amendment by way of a substitute for the 3rd section ;

Which was lost.

Mr. Adams offered an amendment to the last section ;

Which was adopted.

The bill was then read the third time and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. West called up House bill entitled,

An act to repeal the several acts in this State in relation to Attorneys and Counsellors at law ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, and the bill read the second time by title.

The Senate then went into committee of the whole on said bill, Mr. Johnston in the Chair.

After some time spent therein, the committee rose, reported the bill back as amended, and recommended its passage.

The report was received and agreed to.

Mr. Adams called up House bill entitled,

An act to repeal the proceedings against foreign Insurance Companies ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, and the bill read the second time.

On motion of Mr. Adams, the bill was made the order for tomorrow, at 10 o'clock.

Mr. Oliver called up House bill entitled,
An act to authorize O. H. P. Townsend to build a turnpike across
Cold Water river;

Which was read the first time.

On motion of Mr. Oliver, the rule was suspended, the bill read
the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have adopted a joint resolution of the Senate raising a committee of two on the part of the Senate, and ——— on the part of the House, to complete the examination of the Treasurer's, Secretary of State's and Governor's offices, and have filled the blank with the No. 3.

The House committee are Messrs. Chandler, Anderson and Jayne.

The House of Representatives have passed a Senate bill of the following title :

A bill to be entitled an act for the better regulation of the levee laws in the counties of DeSoto, Tunica, Coahoma, Bolivar, Washington and Issaquena, in this State.

The House of Representatives has concurred in the Senate amendment, by way of substitute, to the House bill entitled an act to amend an act entitled an act to provide for leveeing the Mississippi river, in the county of Tunica, approved March 4, 1848.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill to be entitled an act to amend an act entitled an act to establish an additional Inferior Court of Chancery in the State of Mississippi ;

Which is herewith returned to the Senate.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock.

THURSDAY, MARCH 2, 1854.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Allen introduced a bill entitled

An act for the relief of the sheriff of Yalobusha county ;

Which was read the first time.

On motion of Mr. Allen, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Allen called up House bill entitled

An act for the relief of Thomas H. Davis, late assessor of Calhoun county ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Nelson introduced the following resolution, which was adopted :

Resolved, That the thanks of the Senate be, and they are here, by presented to the Hon. J. J. Pettus, for his able, dignified, and impartial discharge of the duties of President of this body, during the present session.

Mr. McWillie introduced a bill entitled

An act to regulate the mode of selecting and empannelling Grand Jurors in the county of Madison ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

The following message was received from the House of Representatives by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled

An act to prescribe the mode of conveying convicts to the Penitentiary.

Mr. Ellett called up House bill entitled

An act to increase the number of the Laws and Journals, printed for distribution ;

Which was read the third time.

Mr. Webb moved to amend, by the following engrossed ryder :

Strike out "\$4 00," where it occurs, and insert "\$3 50,"

Which was adopted.

The bill then passed with its title as stated.

Mr. Adams called up Senate bill entitled

An act for the relief of certain minors therein named ;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Reynolds called up House bill entitled

An act to incorporate the Tennessee River Branch Railroad Company ;

Which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Beene, from the Judiciary committee, made the following report, which was received and agreed to :

MR. PRESIDENT—The committee on the Judiciary, to whom was referred the bill to be entitled an act to compel parties inter-

ested to testify in certain cases, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that the same do not pass, as in the opinion of your committee, every provision of said bill is now the law.

Mr. Arthur called up Senate bill entitled

An act for the relief of Harry W. Green, and others;

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles:

An act granting pre-emption rights to actual settlers upon the swamp and overflowed lands granted to the State of Mississippi, by act of Congress of the 28th Sept., 1850.

An act to grant pre-emptions to actual settlers to certain lands in the State of Mississippi.

An act to be entitled an act to grant the right of way to the Memphis and Charleston Railroad Company, and for other purposes.

An act to regulate the mode of selecting and empannelling Grand Jurors in the counties of Tippah, Claiborne, Jefferson, and Holmes.

An act to authorize the printing of the first annual report of the Agricultural and Geological survey of the State.

An act in reference to the rate of interest.

An act to provide for completing and furnishing the State Lunatic Asylum.

Mr. Bennett introduced a joint resolution in relation to the Territory of Nebraska;

Which was read the first time.

On motion of Mr. Bennett, the rule was suspended, the resolution read the second time and adopted.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles:

An act to regulate the mode of selecting and empannelling Grand Jurors in the counties of Tippah, Claiborne, Jefferson, and Holmes.

An act granting pre-emption rights to actual settlers upon the swamp and overflowed lands granted to the State of Mississippi, by act of Congress, of the 28th September, 1850.

An act to grant pre-emption to actual settlers, to certain lands in the State of Mississippi.

An act to allow the mayor and aldermen of the City of Jackson,

to levy a special tax, for the support of the public schools in said City.

An act to amend the several acts incorporating the town of Macon, in Noxubee county.

An act entitled an act amendatory of the Levee Laws, now in force in Coahoma and Tunica counties.

An act to extend the provisions of an act concerning the appointment and duties of county treasurers, approved 18th June, 1822, so far as relates to Choctaw county, and for other purposes.

An act to be entitled an act to extend the time of returning executions in the county of Choctaw, and for other purposes.

An act to authorize Dorset White to erect a toll bridge across Noxubee river, upon his own land, and for other purposes.

Resolution granting leave of absence to the Hon. John I. Guion, Judge of the 3d Judicial District, and D. C. Glenn, Attorney General of Mississippi.

An act to incorporate the Raymond and Cooper's Well Plank Road Company, in the county of Hinds.

An act to change the mode of practice in cases of foreign attachment in Chancery.

An act to authorize the recording of powers of attorney, and for other purposes.

An act to change the time of holding the Probate Court, in the county of Pontotoc.

An act to authorize Donald McBean to build a bridge across Bernard's Bayou, in Harrison county.

An act for the better regulation of the Levee Laws, in the counties of De Soto, Tunica, Coahoma, and Issaquena, in this State.

And have found the same correctly enrolled.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill entitled

An act to incorporate New Albany Lodge, No. 1, of the Knights of Jericho, in the town of Pontotoc, and for other purposes.

Mr. Adams introduced a joint resolution in relation to postponing the hour of adjournment to 12 o'clock to-night.

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the resolution, read the second time, and adopted.

On motion,

The Senate took a recess for ten minutes.

The recess having expired, the Senate met.

Mr. Steele called up House bill entitled

An act to repeal the several acts of this State, in relation to attorneys and counsellors at law ;

Which was read the third time and passed.

On motion, the vote was taken on the passage of the bill, and carried.

On motion, the bill was laid on the table, the balance of the session.

Mr. Alcorn introduced a bill entitled

An act regulating the action of the Secretary of State, in the sale of swamp lands ;

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act to authorize the North Alabama and Grand Junction Railroad Company, to extend their railroad from the west boundary line of the State of Alabama, to the town of Columbus, in the State of Mississippi.

An act to amend an act to establish an additional Inferior Court of Chancery, in the State of Mississippi.

An act to authorize the city of Vicksburg, to subscribe stock in the Vicksburg, Shreveport and Texas Railroad Company, and to submit the question to the voters of said city.

An act to amend the Constitution of the State of Mississippi in relation to the Chancery Courts.

An act for the better regulation of the levee lands in the counties of De Soto, Tunica, Coahoma, Bolivar, Washington, and Issaquena, in this State.

An act to provide for the further issue of swamp land scrip, for the purpose of aiding in the completion of the Levees upon the Mississippi river.

An act making provision for the repair of the Capitol and Executive mansion, and for other purposes.

An act to amend an act to provide for the appropriation of the swamp lands in the southern district of Pearl river.

An act to amend an act to incorporate the Grand Gulf and Port Gibson Railroad Company.

An act to prohibit the sale or distribution of vinous and spiritous liquors within four miles of Zion Seminary.

An act to amend an act entitled an act to establish an additional Inferior Court of Chancery, in the State of Mississippi.

A resolution in relation to the Governor's, Secretary of State, and Treasurer's offices.

His Excellency has also instructed me to transmit to the Senate a message, appointing five Trustees of the Mississippi State Lunatic Asylum, in which he desires the advice and consent of the Senate.

EXECUTIVE OFFICE,
March 2, 1854. }

To the Senate :

I respectfully ask the advise and consent of the Senate, to the appointment of William S. Langley, George S. Yerger, Charles E. Hooker, John C. Carpenter, and Warren P. Anderson, as Trustees of the Mississippi State Lunatic Asylum for the Insane, under the act of the Legislature, approved March 1, 1854.

Very respectfully,

JOHN J. McRAE.

The Senate then went into Executive session.

On motion, the Senate advised and consented to the appointments mentioned in the Governor's message.

The Executive session was then dissolved.

The following message was received from his Excellency the Governor, by his secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by the Governor, to inform the Senate, that he has this day signed the following bills :

An act to incorporate the New Albany Lodge, No. 1, of the Knights of Jericho, in the county of Pontotoc.

An act to reduce the fees of certain officers, in the county of Calhoun.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to incorporate New Albany Lodge, No. 1, of the Knights of Jericho, in the county of Pontotoc, and for other purposes.

An act to prescribe the mode of conveying convicts to the Penitentiary;

An act to reduce the fees of certain officers in the county of Coahoma.

And have found the same correctly enrolled.

They have also presented the above named bills to his Excellency the Governor, for his signature and approval.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed a bill of the following title :

An act to prescribe the mode of conveying convicts to the Penitentiary.

Mr. Webb offered the following protest, and asked leave to have it spread upon the journal, which was granted :

Whereas, the 9th sect. of the 3d article of the Constitution, provides, that "The Legislature shall, at the first session, and at pe-

riods of not less than every four, nor more than every six years, until the year 1845, and thereafter at periods of not less than every four, nor more than every eight years, cause an enumeration to be made, of all the free white inhabitants of this State, and the whole number of Representatives shall, at the several periods of making such enumeration, be fixed by the Legislature and apportioned among the several counties, cities, or towns, entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six, nor more than one hundred: *Provided, however,* That each county shall always be entitled to at least one Representative."

And the 10th sec. of said article provides that, "the whole number of Senators shall, at the several periods of making the enumeration before mentioned, be fixed by the Legislature, and apportioned among the several districts to be established by law, according to the number of free white inhabitants in each, and shall never be less than one-fourth, nor more than one-third of the whole number of Representatives."

And, whereas, the period of eight years since the last apportionment of Representatives and Senators has now fully elapsed: And, whereas, the Legislature, at the last session thereof, by an act, approved March 11th, 1852, in obedience to said 9th article, caused such enumeration of the free white inhabitants of this State to be made:

And, whereas, the same as made in pursuance of said act of the Legislature is sufficiently complete, in the opinion of the undersigned, to enable this Legislature to make such apportionment as contemplated by the Constitution; therefore, the undersigned regard it as a high and sacred constitutional duty imposed upon this Legislature at its present session to apportion the Senators and Representatives in this State, and the neglect of its performance is, in the opinion of the undersigned, a dereliction of duty on the part of this Legislature, and affords just cause of complaint to the people who are the proper subjects of representation in all free governments.

B. R. WEBB,
SIMEON OLIVER,
R. O. BEENE,
J. M. ACKER,
A. H. PEGUES,
JOSEPH KOGER,
R. G. STEELE.

The following message was received from the House of Representatives, by their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed a Senate bill of the following title:

An act to aid in the construction of the New Orleans, Jackson

and Great Northern Rail Road, in the State of Mississippi, and for other purposes ;

Which is herewith returned to the Senate.

The House of Representatives have concurred in the Senate resolution fixing the adjournment of the Legislature at 12 o'clock, to-night.

Mr. Graves called up House bill entitled,

An act to authorize the Board of Police of Green county to employ some suitable person to index the books and refile the papers in the office of the Circuit and Probate Clerks of said county;

Which was read the first time.

On motion of Mr. Graves, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill entitled,

An act to authorize the legal voters of township 6, range 2 west, to elect five Trustees to take charge of the school funds belonging to said township, and for other purposes ;

Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT.—The joint-standing committee on Enrolled Bills have this day examined a bill of the following title, to-wit :

An act to aid in the construction of the New Orleans and Great Northern Railroad, in the State of Mississippi, and for other purposes ;

And have found the same correctly enrolled.

Mr. McWillie called up House bill entitled,

An act to incorporate Odd Fellows Hall Company, in Canton, Madison county ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act to authorize Archibald Johnston, and others therein named, to erect a toll bridge across Big Black;

Which was read the first time.

On motion of Mr. Webb, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Arthur called up House bill entitled,

An act to regulate the service of process issued by Justices of the Peace in this State ;

Which was read the first time.

On motion of Mr. Arthur, the rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Webb called up House bill entitled,

An act to authorize county surveyors of the several counties of this State to appoint deputies ;

Which was read the first time.

On motion of Mr. Webb, the rule was further suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill entitled,

An act to regulate proceedings against foreign Insurance Companies ;

Which was read the third time.

Mr. Cobb offered an amendment by way of an engrossed ryder ;
Which was adopted.

The bill was then rejected.

Mr. McWillie called up House bill entitled,

An act to amend an act to authorize the Board of selectmen of the town of Kosciusko, in the county of Attala to impose a tax upon all retailers of vinous or spiritous liquors, within the corporate limits of the said town, approved February 20, 1852 ;

Which was read the first time.

On motion of Mr. McWillie, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. West introduced a bill entitled,

An act to legalize the levy of the county taxes for Sunflower county, made by the Board of Police of said county at the August term, 1853, thereof, for the fiscal year 1853, and for other purposes ;

Which was read the first time.

On motion of Mr. West, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett called up House bill entitled,

An act to provide for the holding of the Circuit, Probate and Chancery Courts, of this State ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from His Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed a bill of the following title, to-wit :

An act to aid in the construction of the New Orleans, Jackson

and Great Northern Railroad, in the State of Mississippi, and for other purposes.

Mr. Banks introduced a bill entitled,

An act to extend the provisions of an act to provide for the quieting of the land titles, and to remedy the loss of evidence of titles caused by the destruction by fire of the records of the Circuit and Probate Courts, and the records of deeds in the county of Hancock, approved January 21st, A. D., 1854, to the county of Covington;

Which was read the first time.

On motion of Mr. Banks, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Oliver called up Senate bill entitled an act to amend an act passed March 5, 1844, in relation to probating claims against the estates of deceased persons ;

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a bill of the following title :

A bill to be entitled an act making certain appropriations therein named, and for other purposes.

Mr. Ellett called up House bill to be entitled,

An act making certain appropriations therein named, and for other purposes ;

Which was read the first time.

On motion of Mr. Ellett, the rule was suspended, the bill read the second time.

Mr. Alcorn offered the following amendment :

Strike out article 17, making the appropriation of five hundred dollars each to Wm. F. Stearns, T. J. Wharton and Daniel Mayes, as counsellors in the case of Johnston vs. The State of Mississippi.

Mr. Ellett moved to lay the amendment on the table, which was decided in the affirmative by ayes and nays, as follows :

AYES.—Mr. President, and Messrs. Adams, Acker, Banks, Ellett, Hemingway, Johnston, Koger, McWillie, Oliver, Pégues, Ramsay, Stuart and Webb—14.

NOES.—Messrs. Alcorn, Arthur, Cobb, Reynolds and West—5.

Mr. Adams offered the following amendment :

Amend by inserting \$1000 wherever \$500 occurs in article 17.

Mr. Webb moved to lay the amendment on the table;

Which was decided in the affirmative by ayes and nays as follows :

AYES.—Mr. President, and Messrs. Alcorn, Acker, Arthur,

Banks, Cobb, Ellett, Hemingway, Johnston, Koger, McWillie, Oliver, Pegues, Ramsay, Reynolds, Stuart, West and Webb—18.

NAYS.—Mr. Adams—1.

The following message was received from the House of Representatives, by their clerk, E. P. Russell:

MR. PRESIDENT.—The House of Representatives have concurred in the amendment made by the Senate to the House bill entitled an act to authorize Madison McAfee to have the books in his office posted.

The House of Representatives have adopted the memorial of the Senate to the Congress of the United States, to aid in the construction of the New Orleans and New York Railroad.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act to amend the Constitution of the State of Mississippi.

Mr. Stuart, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT.—The joint standing committee on Enrolled Bills have this day examined a Memorial to Congress praying for a grant of land in aid of the construction of the New York and New Orleans Railroad, and have found the same correctly enrolled.

They have also presented the same memorial to his Excellency the Governor, for his signature and approval.

On motion,

The Senate took a recess until this evening, at half after 7 o'clock.

EVENING SESSION—HALF PAST 7 O'CLOCK, P. M.

The recess having expired, the Senate met, and proceeded to the consideration of the Appropriation bill.

Mr. Adams moved to amend by an additional section.

Mr. Ellett moved to lay the amendment on the table;

Which was decided in the negative by ayes and noes, as follows:

AYES.—Mr. President, and Messrs. Acker, Arthur, Cobb, Ellett, Farrar, Oliver and Webb—8.

NAYS.—Messrs. Adams, Alcorn, Hemingway, Koger, McWillie, Pegues, Ramsay, Reynolds and West—9.

The question was taken on the adoption of the amendment, and decided in the affirmative by ayes and noes, as follows:

AYES.—Messrs. Adams, Alcorn, Hemingway, Johnston, Koger, McWillie, Pegues, Ramsay, Reynolds and West—10.

NOES.—Mr. President, and Messrs. Acker, Arthur, Cobb, Ellett, Farrar, Oliver and Webb—8.

Mr. Reynolds offered an amendment by an additional section ;
Which was adopted.

The bill was then read the third time and passed, by ayes and nays, as follows :

AYES.—Messrs. Adams, Acker, Hemingway, Johnston, Koger, McWillie, Oliver, Pegues, Ramsay, Stuart and Webb—11.

NAYS.—Mr. President, and Messrs. Alcorn, Arthur, Cobb, Ellett, Farrar, Reynolds and West—8.

Mr. Koger called up House bill entitled,
An act for the relief of Gabriel R. Conner, of Winston county ;

Which was read the first time.

On motion of Mr. Koger, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

Mr. Adams called up House bill entitled,
An act to provide for the trial of issues of fact made up in the Probate Court of Hinds county, by a jury at the bar of said Court ;
Which was read the first time.

On motion of Mr. Adams, the rule was suspended, the bill read the second and third times and passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, by their clerk, Mr. Russell :

MR. PRESIDENT—The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled an act to annex a part of Tallahatchie county to the county of Sunflower.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to extend the provisions of an act to provide for the quieting of the land titles, &c., in Covington county.

A bill to be entitled an act to amend an act to establish the Commercial Bank of Manchester ;

And have adopted the Senate bills in reference to Nebraska.

The House have concurred in the Senate amendments to the house bill to increase the revenue of the county of Hinds.

The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act for the relief of the Sheriff of Yallobusha county.

A bill to be entitled an act to regulate the mode of selecting and empannelling grand jurors in the county of Madison.

A bill to be entitled an act for the relief of Harry W. Green, Willis Bonner and Calvin H. Moore, of Warren county.

The House of Representatives have passed a bill to be entitled an act for the relief of Gabriel R. Conner, of Winston ;

In which the concurrence of the Senate is desired.

The House of Representatives have passed a Senate bill entitled an act to amend the Constitution of the State of Mississippi;

Which is herewith returned to the Senate.

The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled an act to prevent the circulation of bank bills of less denomination than five dollars.

The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled an act to authorize the President and Selectmen of the town of Biloxi, to provide for the erection of a new market house in said town.

A bill to be entitled an act to incorporate the Union Female College of the Cumberland Presbyterian Church, at Oxford.

A bill to be entitled an act regulating the action of the Secretary of State, in the sale of swamp lands.

A bill to be entitled an act supplemental to an act entitled an act to provide for leasing the Chickasaw School Lands, approved February 23, 1848 ;

And have passed a House bill to provide for the trial of issues of fact made up in the Probate Court of Hinds county ;

In which the concurrence of the Senate is desired.

The House of Representatives have disagreed to the amendment made by the Senate to the appropriation bill in reference to Hutchinson's Manual, and have concurred in the amendment in relation to Carmack's widow.

On motion the Senate receded from their amendment made to the appropriation bill.

Whereas, efforts are being made in the Congress of the United States, and elsewhere, to prohibit the introduction of slavery into the territory of Nebraska, in a manner not in accordance with the spirit and intent of the Federal Constitution ; therefore,

Resolved, That the bill now pending before Congress, organizing territorial governments for Nebraska and Kansas, is in accordance with the principles of the Constitution of the United States, and, in the opinion of this Legislature, just and proper, and that our Senators in Congress are instructed, and our Representatives are requested to support said bill by all honorable means. Adopted by House of Representatives, March 2, 1854.

Mr. Arthur, from the select committee to whom had been referred the memorial and draught of Lewis Lewis, a citizen of Warren county, in relation to his invention of a cotton and hay press, made a report, accompanied by the following resolution, which was received and agreed to :

Be it Resolved, That we recommend to the planting interests an examination and a trial of this press, as it is, in our opinion, the cheapest, most expeditious, durable, simple, convenient, and less liable to accident or danger, than any other press now in use, known to this committee.

Mr. Cobb asked and obtained leave to spread the following on the Journal:

Whereas, a protest has been presented and entered upon the journals of the Senate by certain Senators in relation to the failure of the Senate to pass, at this session, an apportionment bill; and whereas, in the opinion of the undersigned, no sufficient enumeration had been made or returned, on which to found said apportionment, in this, to-wit: that there were eight counties in this State, viz: Coahoma, Issaquena, Wayne, Jackson, Harrison, Tunica, Washington and Warren; and one city, to-wit: the city of Vicksburg, from which no census had been returned as required by the Constitution and act of 1852, all which, in conjunction with other reasons, induced the undersigned, as Senators, to vote against any apportionment founded on said returns; therefore, the undersigned ask to have this reply to said protest entered upon the Journal of the Senate in order that attention may be called to the facts above recited.

A. H. ARTHUR,
W. L. JOHNSON,
DANL. W. ADAMS,
H. T. ELLETT,
A. K. FARRAR,
JOSEPH B. COBB,
M. A. BANKS,
E. C. STUART,
J. A. RAMSAY.

The following message was received from the Governor, by Mr. McMillan, his Secretary:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act to amend an act entitled an act to establish the Commercial Bank of Manchester.

An act to be entitled an act to amend the Constitution of the State of Mississippi.

An act for the relief of the Sheriff and Tax Collector of Yallobusha county.

A memorial to the Congress of the United States in relation to a grant of land to aid in the construction of the New Orleans and New York Railroad.

An act to extend the provisions of an act to provide for the quieting of the land titles and to remedy the loss of evidence of title caused by the destruction by fire of the records of the Circuit and Probate Courts, and the records of deeds in the county of Hancock, approved January 21st, 1854, to the county of Covington.

An act for the relief of Harry W. Green, Willis Bonner and Calvin H. Moore, of Warren county, and for other purposes.

On motion,

The Senate took a recess until 11 o'clock, p. m.

11 O'CLOCK, P. M.

The recess having expired, the Senate met.

The following messages were received from the House of Representatives, through their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled an act granting to the New York Law Institute copies of the State Laws of the State of Mississippi.

MR. PRESIDENT—The House of Representatives have passed a Senate bill to be entitled an act for the relief of certain minors therein named ;

Which is herewith returned to the Senate.

The House of Representatives have concurred in the Senate amendments to the House bill entitled an act to authorize the Secretary of State to offer for sale lot four, of section 23, township 16, range 1 west, lying in Holmes county.

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles :

A bill to be entitled an act to change the Probate laws so far as relates to the county of Monroe.

A bill to be entitled an act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and overflowed lands in the counties of Lowndes and Monroe, and for other purposes, approved October 20, 1852.

A memorial to the Congress of the United States.

An act to require security for costs in certain cases, and for other purposes.

MR. PRESIDENT.—The House of Representatives have passed a Senate bill entitled an act to provide patrols in the county of Noxubee.

The following message was received from his Excellency, the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this night approved and signed bills of the following titles :

An act to require security for costs in certain cases, and for other purposes.

A resolution in relation to the Territory of Nebraska.

An act for the relief of Gabriel R. Conner, of Winston county.

An act to be entitled an act for the relief of certain minors therein named.

The committee on Enrolled Bills, made the following report :

The joint standing committee on Enrolled Bills, have examined a bill of the following title :

An act to amend the Constitution of the State of Mississippi.

And have found the same correctly enrolled.

The following message was received from the House of Representatives, by their clerk, E. P. Russell :

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution :

Resolved, (the Senate concurring,) That a committee of five on the part of the House, and — on the part of the Senate, be appointed, to wait on his Excellency the Governor, and inform him that the two Houses have completed the business before them, and are now ready to adjourn, *sine die*.

In which the concurrence of the Senate is desired.

The committee on the part of the House, are, Messrs. Sharp, Gordon, Starke, Garrett, and Autry.

I am also instructed to inform the Senate, that the House of Representatives have concluded the business of the session, and are now ready to adjourn, *sine die*.

The Senate took up House message, to appoint a committee informing the Governor that both Houses were now ready to adjourn, *sine die*.

On motion of Mr. Webb, the blank in said resolution was filled with the number three.

The resolution was then adopted.

The President appointed on said committee, Messrs. Webb, Mc-Willie, and Alcorn.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed bills of the following titles :

An act granting to the New York Law Institute, copies of the Laws of the State of Mississippi.

An act to regulate the mode of selecting and empannelling Grand Jurors, in the county of Madison.

An act to amend the Constitution of the State of Mississippi.

An act regulating the action of the Secretary of State in the sale of swamp lands.

A bill to be entitled an act to provide Patrols, in the county of Noxubee.

An act supplemental to an act entitled an act to provide for leasing the Chickasaw School Lands, approved Feb. 23, 1848.

The following message was received from his Excellency the Governor, by his Secretary, G. S. McMillan :

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day signed bills of the following titles :

An act to require security for costs in certain cases, and for other purposes.

Resolution in relation to the St. Louis Railroad.

An act to authorize the President and Selectmen of the town of Biloxi to provide for the erection of a new market house.

Mr. Webb, from the committee appointed to wait on his Excellency the Governor, made the following report :

MR. PRESIDENT—The joint committee appointed to wait on his Excellency the Governor, and inform him that the two Houses having disposed of the business before them, were ready to adjourn, and to ascertain whether he had any further communication to make to them, have discharged the duty assigned them, and are informed by his Excellency, that he has no further communication to make.

Mr. Stuart, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles :

An act to be entitled an act to amend the Constitution of the State of Mississippi.

An act for the relief of the sheriff or tax collector of Yallobusha county.

An act to amend an act entitled an act to establish a Commercial Bank at Manchester.

An act to extend the provisions of an act to provide for the quieting of land titles, and to remedy the loss of evidences of title caused by the destruction by fire, of the records of the Circuit Court and Probate Courts, and the record of deeds, in the county of Hancock, approved Jan. 21, A. D., 1854, to the county of Covington.

An act to be entitled an act to regulate the mode of empanneling Grand Jurors, in the county of Madison.

An act for the relief of Harry W. Green, Willis Bonner, and Calvin H. Moore, of Warren county, and for other purposes.

A resolution of the State of Mississippi.

An act supplemental to an act entitled an act to provide for the leasing of the Chickasaw School Lands, approved Feb. 23, 1848.

An act regulating the action of the Secretary of State, in the sale of swamp lands.

An act to amend the Constitution of the State of Mississippi.

An act to authorize the President and Selectmen of the town of Biloxi to provide for the erection of a new market-house in said town.

An act to incorporate the Union Female College, of the Cumberland Presbyterian Church, at Oxford, Mississippi.

A resolution of the State of Mississippi.

An act to require security for costs in certain cases, and for other purposes.

An act to be entitled an act to amend an act entitled an act to provide for the selection and reclamation of all the swamp and

overflowed lands in the counties of Lowndes, and Monroe, and for other purposes, approved Oct. 20, 1852.

And have found the same correctly enrolled.

They have also presented the above named bills to his Excellency the Governor, for his signature and approval.

On motion, the thanks of the Senate were tendered to the committee on Enrolled Bill.

On motion, the thanks of the Senate were tendered to the committee on Engrossed Bills.

On motion, the thanks of the Senate were tendered to the committee on Accounts.

Mr. Acker introduced the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to M. J. Bunch, for the able manner in which he has discharged the duties of Secretary of the Senate.

Mr. Acker introduced the following resolution, which was adopted :

Resolved, That the thanks of the Senate be tendered to the Door-keeper, and Page, of the Senate, for the able and dignified manner in which they have discharged their duties.

Mr. Alcorn introduced the following resolution :

Resolved, That the Secretary inform the House of Representatives that the Senate is now ready to adjourn, *sine die*.

The President then addressed the Senate, and at the conclusion of which, he declared the Senate adjourned, *sine die*.

APPENDIX.

*To the Honorable Legislature of the State of Mississippi,
now in Session assembled :*

Your petitioners, all ladies, both married and unmarried, undertake the task of addressing you, with feelings of no ordinary character, upon the alarming evils of intemperance; prevalent to so fearful an extent, not only in the City of Jackson, but also throughout the State of Mississippi.

They beg your kind indulgence and charitable generosity to award them a patient hearing, while they call your attention to the subject; one on account of which woman has always been the greatest sufferer.

They see here, in their midst, no less than from every part of the State, the frightful destroyer intemperance, without any compunctions of conscience, and with the authority of the law in its possession, snatching from among their citizens, the young, the gifted, the talented, the future pillar on which the hope and strength of the prosperity and greatness of this commonwealth is based, and burying them in an untimely drunkard's grave. They see heads of families, men of elevated standing and honorable profession, staggering towards the drunkard's wretched end. They hear the bitter wailing of orphanage, and see the blood-like tears of prostrate widowhood, sending up their cries to God on high, for help and deliverance from the relentless demon.

Your petitioners, in connection with their fathers, husbands, and brothers, have endeavored, in a silent manner, and with the aid of moral suasion, to stem the destructive tide that seems to break and beat over every barrier, to instill its deadly poison into the hearts of the young and innocent.

They have plead, they have wept, they have besought, they have all but fallen in the dust before the arch fiend, and implored the discontinuance of its pernicious traffic, without any other effect being seen, than a steady increase of its number and strength, and the prospect of its continued ravages.

The monster boasts, that from your Honorable body it obtains its power, its rights, its privilege, thus to blast all the heart holds dear on earth. That your Honorable body have given to it the authority to poison the heart of the hope and strength of humanity, by granting to him the all powerful license, for which he has paid his dollars. Aye! dollars, every one of which is baptized in blood and tears from crushed and unhappy hearts.

They, therefore, turn towards you, the legitimate law-givers of

our noble and magnanimous State, with the earnest and fervent prayer, that you will stop the hideous monster, in his boasts and triumph, by taking from him that power, which he glories as having obtained from your hands, and that you will, in your wisdom, pass such enactments as will strike to the earth, and forever annihilate his deadly influence on society.

We appeal to your Honorable body by all that is good and true, by all that is noble and great on earth, by all that is sacred and holy from the word of God, by all you have seen and felt yourselves of sorrow and alarm, on account of intemperance, as you love and appreciate whatever is innocent and pure, right and just, to come to the aid of your petitioners, and bleeding and suffering humanity, and implore you to raise your mighty arm in their behalf, and thunder the terror striking command into the face of the monster: "Thus far hast thou come, but no farther shalt thou go."

And with the prayer to God, to guide your Honorable body in all your deliberations, your petitioners as in duty bound, submit all this, with every sentiment of respect and gratitude.

Jackson, Miss., Jan. 7, 1854.

To the Honorable

the Legislature of Mississippi,

in Session at the State Capitol:

The undersigned, your petitioners, citizens of Adams county and the City of Natchez, respectfully represent: That a few years since, through the munificence of Rice C. Ballard, Esq., an eminent planter, the friends and patrons of female orphans were placed in possession of a spacious lot of ground and a commodious brick edifice, on the corner of Rankin and Jefferson streets, in the City of Natchez: and that an act of incorporation will be immediately obtained from the Legislature of the State, under the style of "The St. Mary's Female Orphan Asylum of Natchez."

And your petitioners further represent that this institution, under the sole care and supervision of the "Sisters of Charity," an order of mercy and benevolence, whose praises have been diffused throughout all our Southern clime, has been entirely dependent for support, upon private and individual donations and upon the avails of a day school, kept by the Sisters of Charity, to which young ladies and misses, the children of citizens at large, were admitted, for a small compensation, to the classes and studies in which the orphans were taught. So straightened have the circumstances of the Institution frequently been, that monthly, weekly, and even daily appeals were necessary to be made to private benevolence, to keep hunger, cold, and nakedness from the rooms of the Asylum,

which have ever been crowded with young orphans of that sex the most helpless, and over whose unprotected condition the best feelings of the human heart flow in unconstrained sympathy.

This, your petitioners respectfully represent, was the true condition of this crowded Asylum, up to the late devastating epidemic, whose path through our decimated community, might be traced by the tears and lamentations of the new made and unbefriended orphans. Wherever the angel of death waved his wings, there were seen these devoted Sisters of Charity, throwing their maternal protection over female orphanage, filling the rooms of the Asylum, until they could contain no more, and then quartering those they could not shelter, in the families of benevolent individuals. It has become imperiously necessary to enlarge the present Asylum buildings to double their present capacity.

In view of all these unexaggerated facts, — in the name of our common humanity, and of unfortunate female orphan children, whose names are enrolled on the books of the Asylum, we, your petitioners, humbly, but respectfully and urgently entreat a legislative grant of money from the State Treasury, of an amount proportionate to the demands of this noble charity, and in keeping with the character of our State for benevolent generosity towards objects of real pity and commiseration. We are fortified in our earnest petitions by Legislative precedents, grants of large sums having been repeatedly made to an elder institution of refuge for orphans of both sexes in Natchez, now filled to overflowing, from the same causes which have crowded St. Mary's Asylum.

Suffer, then, Honorable Legislators, your petitioners to plead, and not unavailingly, in favor of a charity not based on sectarian or local interests, but as free and open to all, as the sun-light of heaven, with no requisites of family or creed, recognizing only the simple conditions of sex and orphanage; in favor of an institution in which an education is imparted, qualifying all the inmates for useful and honorable stations in life, endowed with solid as well as ornamental accomplishments as demanded by the enlightened spirit of the age and a liberalized humanity.

And as in duty bound, your petitioners will ever pray.

Natchez, 17th Jan., 1854.

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STATE TREASURY,

Jackson, Jan. 20, 1854.

To the Hon. the Senate of the State of Mississippi:

In answer to your resolution of the 18th ult, "that the Treasurer be instructed to inform the Senate what amount of money has been paid out, of the Treasury, from first to last, in locating the five hundred thousand acres of Internal Improvement Land, and also, what amount of expense has been incurred in locating the Chickasaw School Lands," &c.

I have to say, that I have examined the books of this office, and find that the following amounts were expended in locating State lands:

Up to the 20 March, 1843.....	\$260 00
Up to May, 1843.....	660 00
From July, 1843, to February, 1844.....	1,150 00
From February, 1844, to February, 1845.....	4,398 80
From February, 1845, to September, 1845.....	8,183 13
During the year 1846.....	50 00
During the year 1848.....	108 00
During the year 1849.....	528 00
During the year 1850.....	1,262 00
During the year 1853.....	162 00

\$16,761 93

The last item is in 1853, as above stated.

The following amounts were expended in locating Chickasaw School Lands:

In 1843, and up to 29th February, 1844.....	\$660 00
From March, 1844, to February, 1845.....	4,397 64
From March, 1845, to September, 1845.....	3,130 00
In the year 1848.....	25 00

Total..... \$8,262 64

No entry since 1848, as above.

In 1848 money began to be paid in on State lands, and on Chickasaw School Lands, (as appears from the books,) and the then State Treasurer raised on his book the heads of "Internal Improvement Fund Department," and "Chickasaw School Fund Department," and since that time balances have been regularly struck every year, between the debtor and creditor sides. I presume, therefore, that the above statements cover all the expenditures of the State on behalf of those lands respectively, which have not been reimbursed.

You will see by reference to my report, what amounts there were to the credit of those Funds respectively, on the first day of this month.

I am, with the highest respect,

SHIELDS L. HUSSEY,

State Treasurer.

REPORT

OF THE

SECRETARY OF STATE

ON THE

SWAMP AND OVERFLOWED LAND,

CHICKASAW SCHOOL LAND,

AND

INTERNAL IMPROVEMENT LAND.

JACKSON:

BARKSDALE & JONES, STATE PRINTERS.
1854.

OFFICE OF SECRETARY OF STATE, }
Jackson, Feb'y 9th, 1854. }

SIR:—Allow me, through you, to transmit to the House of Representatives, in pursuance of a resolution of that Honorable body, a tabular statement of the Swamp and Overflowed Lands, confirmed to the State of Mississippi, under the provisions of an act of the Congress of the United States, approved September 28th, 1850, in each county, the amount sold and unsold. Also the amount located, sold and unsold, in the several townships and fractional townships composing the several counties.

Owing to the fact that many of the counties are bounded by lines running diagonally through the townships and even sections, which throw the townships and even sections into fractional parts, perfect accuracy is not to be expected, nor could it be attained, except by an actual survey upon the ground. It is believed, however, that this estimate is correct in the aggregate, and as nearly correct in detail as was possible with the limited time allowed me, and the amount of clerical aid I have been able to employ. I am certain that the calculations are sufficiently correct to serve as a basis of any legislation that may be thought, in the wisdom of the Legislature, necessary, respecting these lands, or for any practical purpose.

Very respectfully,

WM. H. MUSE,
Secretary of State.

To the Hon. HIRAM CASSIDY,

Speaker of the House of Representatives.

N. B. The apparent discrepancy between the amount of land here given and that given in a former report, made to the Senate, is owing to corrected lists received from the department at Washington, which were not deducted in making out that report.

Very respectfully,

W. H. MUSE,
Secretary of State.

*List of Submerged Lands Located and Sold in the following
Counties, in the State of Mississippi:*

ISSAQUENA COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	9	5 w	6.840.00 acres	none
Part of	10	5 w	8.660.00 acres	225.47 acres
Part of	11	5 w	5.440.00 acres	79.24 acres
Part of	12	5 w	10.560.00 acres	312.75 acres
	13	5 w	22.000.00 acres	1.297.75 acres
	9	6 w	15.780.14 acres	1.274.95 acres
	10	6 w	17.717.45 acres	none
	11	6 w	21.821.38 acres	470.78 acres
	12	6 w	17.948.10 acres	635.49 acres
	13	6 w	5.868.59 acres	539.31 acres
	9	7 w	18.627.68 acres	none
	10	7 w	9.233.90 acres	280.67 acres
	11	7 w	13.370.89 acres	359.20 acres
	12	7 w	9.353.44 acres	959.20 acres
	13	7 w	9.313.22 acres	318.11 acres
	9	8 w	6.436.47 acres	2.319.38 acres
	10	8 w	9.026.81 acres	3.447.28 acres
	11	8 w	8.845.73 acres	2.518.14 acres
	12	8 w	2.559.10 acres	none
	13	8 w	600.13 acres	122.81 acres
	9	9 w	160.00 acres	160.00 acres
	10	9 w	160.39 acres	160.98 acres
	13	9 w	162.00 acres	none
			220.485.42	15.455.08

PANOLA COUNTY.

Part of	27	1 e	10.748.83 acres	832.00 acres
	28	1 e	7.925.23 acres	3.638.57 acres
	27	2 e	5.485.05 acres	3.560.90 acres
	28	2 e	419.18 acres	419.18 acres
			e	
			24.578.29 am't acres	8.450.65 am't

WASHINGTON COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	16	2 w	4.840.00 acres	2,282.94 acres
	15	3 w	2.320.00 acres	199.55 acres
	16	3 w	8.960.00 acres	957.52 acres
Part of	17	3 w	2.660.00 acres	none
	14	4 w	4.680.00 acres	320.92 acres
	15	4 w	22.400.00 acres	none
Port of	16	4 w	3.200.00 acres	none
	17	4 w	4.320.00 acres	1.442.52 acres
	18	4 w	880.00 acres	480.00 acres
	14	5 w	13.882.00 acres	none
	15	5 w	10.640.00 acres	77.37
	16	5 w	9.752.68 acres	none
	17	5 w	8.033.66 acres	2.897.55 acres
	18	5 w	3.880.00 acres	none
	19	5 w	2.400.45 acres	1.484.09 acres
	14	6 w	6.493.86 acres	400.69 acres
Part of	15	6 w	9.645.17 acres	656.08 acres
	16	6 w	13.088.88 acres	720.70 acres
	17	6 w	5.674.35 acres	480.56 acres
	18	6 w	4.395.57 acres	none
	19	6 w	2.271.40 acres	none
	14	7 w	7.156.17 acres	3.034.05 acres
	15	7 w	11.981.36 acres	2.485.01 acres
	16	7 w	10.738.10 acres	1.271.79 acres
	17	7 w	2.717.63 acres	none
	18	7 w	2.599.66 acres	none
	19	7 w	9.957.73 acres	none
	14	8 w	774.94 acres	none
	15	8 w	3.845.08 acres	3.605.99 acres
	17	8 w	799.22 acres	166.42 acres
	18	8 w	790.40 acres	none
	19	8 w	160.00 acres	none
	17	9 w	645.55 acres	none
	19	9 w	241.61 acres	none
			196.825.47	22.957.76

*List, &c.—Continued.***BOLIVAR COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	19	5 w	7.400.00 acres	7.265.20 acres
	20	5 w	14.044.50 acres	8.082.72 acres
	21	5 w	16.415.59 acres	1.910.28 acres
	22	5 w	7.967.30 acres	2.384.45 acres
	23	5 w	7.252.68 acres	3.461.75 acres
	24	5 w	9.870.33 acres	6.912.17 acres
	25	5 w	4.791.29 acres	none
Part of	26	5 w	2.714.09 acres	479.99 acres
	20	6 w	9,531.72 acres	7.362.53 acres
	21	6 w	20.670.38 acres	18.106.23 acres
	22	6 w	19.761.25 acres	18.289.11 acres
	23	6 w	3.376.90 acres	3.216.09 acres
	24	6 w	5.059.12 acres	4.859.00 acres
	25	6 w	12.503.75 acres	11.224.22 acres
Part of	26	6 w	1.470.38 acres	816.43 acres
	20	7 w	2.845.57 acres	2.240.30 acres
	21	7 w	6.774.04 acres	4 459.88 acres
	22	7 w	5.536.33 acres	4.254.36 acres
	23	7 w	2.320.66 acres	2.320.66 acres
	24	7 w	2.224.56 acres	2.224.56 acres
	25	7 w	639.03 acres	639.03 acres
	20	8 w	2.228.69 acres	958.30 acres
	21	8 w	186.10 acres	1.138.58 acres
	22	8 w	159.81 acres	159.81 acres
	23	8 w	3.725.41 acres	3.725.41 acres
	24	8 w	3.601.02 acres	3.078.94 acres
	20	9 w	3.239.08 acres	2.747.28 acres
			177.329.92	122.317.23

*List, &c.--Continued.***COAHOMA COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	27	2 w	1.120.00 acres	1.120.00 acres
	28	2 w	2.944.28 acres	323.56 acres
	29	2 w	3.050.00 acres	3.050.00 acres
	25	3 w	9.309.04 acres	3.613.47 acres
	26	3 w	5.712.31 acres	3.713.20 acres
	27	3 w	8.552.65 acres	6,417.40 acres
	28	3 w	38.90 acres	38.90 acres
	29	3 w	4.735.15 acres	4.603.85 acres
	30	3 w	825.26 acres	825.56 acres
	31	3 w	42.32 acres	42.32 acres
	25	4 w	10.087.81 acres	6.226.53 acres
	26	4 w	7.183.21 acres	7.183.21 acres
	27	4 w	8.885.35 acres	8.079.41 acres
	28	4 w	4.918.29 acres	4.918.29 acres
	29	4 w	1.765.44 acres	1.765.44 acres
	30	4 w	139.30 acres	139.30 acres
	26	5 w	1.280.00 acres	479.99 acres
	27	5 w	5.419.67 acres	4.918.33 acres
	28	5 w	80.08 acres	none
	29	5 w	199.22 acres	199.22 acres
Part of	27	6 w	1.638.13 acres	1.582.35 acres
	26	7 w	394.89 acres	334.47 acres
	27	7 w	399.84 acres	399.84 acres
			78.771.14	59.954.64

TUNICA COUNTY.

	27	1 w	10.391.81 acres	9.140.72 acres
	28	1 w	8.106.43 acres	7.388.01 acres
	29	1 w	4.880.29 acres	4.265.52 acres
Part of	27	2 w	6.662.40 acres	2.226.00 acres
Part of	28	2 w	2.624.28 acres	2.624.28 acres
Part of	29	2 w	4.355.00 acres	1.355.00 acres
Part of	28	1 e	1.160.00 acres	850.00 acres
			38.180.21	27.849.53

List, &c.—Continued.

WARREN COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
District West of Pearl River.	13	2 e	2.558.79 acres	none
	14	2 e	2.289.61 acres	346.80 acres
	13	3 e	1.553.17 acres	none
	14	3 e	567.37 acres	236.00 acres
	17	3 e	200.00 acres	none
	17	4 e	756.14 acres	none
	17	2 e	1.681.28 acres	79.97 acres
	18	2 e	4.753.75 acres	none
	17	3 e	7.358.92 acres	none
	18	3 e	21,766.75 acres	none
	17	4 e	1.839.75 acres	none
	18	4 e	10.578.75 acres	none
	18	5 e	1.082.62 acres	none
Ch. D. Part of	9	5 w	2.650.00 acres	none
			59.636.90	662.77

YAZOO COUNTY.

	10	1 e	989.71 acres	989.71 acres
Part of	10	2 e	2.239.32 acres	2.239.32 acres
	11	2 e	276.00 acres	276.00 acres
Part of	11	3 e	2.240.00 acres	2.240.00 acres
Part of	12	3 e	1.190.00 acres	1.190.00 acres
	9	1 w	1.060.00 acres	1.060.00 acres
	10	1 w	400.00 acres	400.00 acres
Part of	13	1 w	1.796.00 acres	239.42 acres
	9	2 w	1.507.00 acres	1.286.97 acres
	12	2 w	347.03 acres	347.03 acres
	13	2 w	7.694.60 acres	2.631.25 acres
Part of	14	2 w	3.120.00 acres	1.042.17 acres
	8	3 w	39.75 acres	39.75 acres
	10	2 w	1.791.84 acres	846.88 acres

List, &c.—Continued.

YAZOO COUNTY—Continued.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	12	3 w	9,844.41 acres	6,536.05 acres
Part of	11	3 w	8,488.88 acres	2,580.19 acres
	13	3 w	5,410.18 acres	789.50 acres
	14	3 w	5,497.28 acres	1,818.29 acres
Part of	15	3 w	1,825.00 acres	none
	8	4 w	195.00 acres	195.00 acres
Part of	9	4 w	6,042.55 acres	1,528.29 acres
	10	4 w	5,858.39 acres	3,255.63 acres
	11	4 w	17,319.77 acres	240.00 acres
Part of	12	4 w	16,390.22 acres	443.10 acres
	13	4 w	10,906.52 acres	1,630.36 acres
Part of	14	4 w	3,040.00 acres	none
Part of	9	5 w	7,963.00 acres	none
Part of	10	5 w	10,330.00 acres	304.71
Part of	11	5 w	7,391.00 acres	none
Part of	12	5 w	5,100.00 acres	76.31 acres
			146,313.00	34,226.92

HOLMES COUNTY

	15	1 e	716.82 acres	319.61 acres
	12	3 e	600.00 acres	600.00 acres
	12	4 e	80.00 acres	80.00 acres
	13	4 e	3,120.00 acres	2,750.71 acres
Part of	14	4 e	4,016.21 acres	1,397.92 acres
Part of	14	5 e	500.00 acres	460.34 acres
Part of	15	5 e	1,180.00 acres	1,180.00 acres
	16	5 e	440.00 acres	440.00 acres
Part of	13	1 w	1,080.00 acres	39.96 acres
	14	1 w	11,835.52 acres	2,196.31 acres
	15	1 w	6,378.03 acres	2,546.69 acres
	16	1 w	7,539.74 acres	2,870.79 acres
Part of	17	1 w	1,119.00 acres	947.48 acres
	14	2 w	2,811.44 acres	987.38 acres
	15	2 w	11,643.56 acres	731.22 acres
	16	2 w	4,700.00 acres	158.94 acres
Part of	15	3 w	3,747.25 acres	754.82 acres
			61,507.57	18,466.17

*List, &c.—Continued.***SUNFLOWER COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	17	1 w	1.777.94 acres	217.46 acres
Part of	18	1 w	2.411.46 acres	1.545.19 acres
Part of	19	1 w	960.00 acres	960.00 acres
Part of	20	1 w	1.756.71 acres	1.624.62 acres
Part of	21	1 w	3.382.40 acres	2.013.43 acres
	16	2 w	2.840.50 acres	1.211.80 acres
	17	2 w	10.398.66 acres	2.093.96 acres
	18	2 w	10.051.16 acres	892.14 acres
	19	2 w	15.727.50 acres	1.122.63 acres
	20	2 w	14.787.93 acres	1.466.60 acres
	21	2 w	12.619.87 acres	80.55 acres
	17	3 w	2.041.00 acres	none
	18	3 w	15.045.14 acres	807.09 acres
	19	3 w	6.134.93 acres	1.202.06 acres
	20	3 w	12.733.27 acres	8.583.87 acres
	21	3 w	7.470.44 acres	2.977.23 acres
	22	3 w	8.312.11 acres	2.143.79 acres
	23	3 w	15.636.18 acres	160.51 acres
	24	3 w	22.143.66 acres	5.107.75 acres
Part of	18	4 w	6.506.00 acres	5.687.50 acres
	19	4 w	13.073.70 acres	7.691.85 acres
	20	4 w	12.337.08 acres	6.680.59 acres
	21	4 w	13.647.28 acres	7.295.58 acres
	22	4 w	8.378.17 acres	6.165.30 acres
	23	4 w	10.197.20 acres	7.272.31 acres
	24	4 w	9.659.23 acres	2.198.95 acres
Part of	21	1 e	420.00 acres	420.00 acres
			240.449.52 am't acres	77.643.76 am't

*List &c.--Continued.***YALLOBUSHA COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
	22	4 e	820.12 acres	435.00 acres
	23	5 e	2,233.75 acres	2,192.95 acres
	23	6 e	3,410.49 acres	2,648.31 acres
	24	6 e	823.33 acres	823.33 acres
	22	7 e	965.62 acres	none
	23	7 e	1,803.38 acres	802.54 acres
	27	7 e	1,337.61 acres	977.12 acres
			<u>11,394.30 am't acres</u>	<u>7,879.25 am't</u>

TALLAHATCHIE COUNTY.

22	2 w	10,793.44 acres	5,447.55 acres
23	2 w	15,206.61 acres	3,480.78 acres
24	2 w	11,059.36 acres	969.97 acres
25	2 w	8,045.08 acres	2,085.83 acres
26	2 w	9,248.14 acres	4,925.36 acres
23	1 w	3,597.22 acres	2,193.51 acres
24	1 w	5,672.94 acres	2,975.67 acres
25	1 w	13,077.83 acres	5,657.03 acres
26	1 w	14,328.05 acres	6,358.53 acres
22	1 e	13,952.88 acres	7,056.50 acres
23	1 e	16,927.87 acres	7,255.58 acres
24	1 e	13,219.21 acres	2,041.73 acres
25	1 e	20,083.40 acres	495.34 acres
26	1 e	15,856.61 acres	7,315.29 acres
22	2 e	8,855.63 acres	480.50 acres
23	2 e	8,181.99 acres	none
24	5 e	5,488.39 acres	249.62 acres
25	2 e	4,853.73 acres	478.15 acres
26	2 e	3,435.88 acres	none
22	3 e	265.00 acres	265.00 acres
27	3 e	117.00 acres	117.00 acres
22	1 w	6,085.10 acres	5,167.06 acres
		<u>208,343.35 am't acres</u>	<u>65,026.00 am't</u>

*List, &c—Continued.***WILKINSON COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
District west of Pearl River. Part of	3	3 w	1,541.64 acres	359.43 acres
	4	3 w	7,000.00 acres	none
	2	4 w	794.04 acres	none
	3	4 w	4,560.00 acres	1,292.00 acres
	2	5 w	719.62 acres	none
	3	5 w	401.12 acres	80.00 acres
	4	1 e	29.00 acres	none
			15,045.42 am't acres	1,731.43 am't

CARROLL COUNTY.

Part of	17	1 w	1,440.14 acres	409.66 acres
Part of	18	1 w	79.94 acres	79.94 acres
Part of	19	1 w	66.00 acres	66.00 acres
.....				
Part of	17	1 e	1,743.66 acres	231.52 acres
	18	1 e	2,066.19 acres	1,487.24 acres
	19	1 e	359.43 acres	359.43 acres
	20	1 e	7,631.75 acres	1,198.13 acres
Part of	21	1 e	11,381.90 acres	1,580.82 acres
	18	2 e	397.74 acres	237.94 acres
	19	2 e	1,193.34 acres	701.46 acres
	20	2 e	4,528.95 acres	358.56 acres
	21	2 e	9,846.48 acres	800.46 acres
	16	5 e	220.00 acres	220.00 acres
	16	6 e	1,280.00 acres	1,078.53 acres
Part of	17	6 e	1,920.00 acres	1,847.80 acres
Part of	18	6 e	1,220.00 acres	1,320.00 acres
			45,533.82 am't acres	12,200.49 am't

AMITE COUNTY.

Part of	4	2 e	133.34 acres	none
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List, &c.—Continued.

FRANKLIN COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of Dis. W. of P.R.	4	1 e	1.284.52 acres	1.174.52 acres
	4	2 e	155.35 acres	none
	5	2 e	155.75 acres	none
			1.595.62 am't acres	1.174.52 am't

MARION COUNTY.

4	12 e	132.50 acres	none
5	12 e	40.20 acres	none
3	13 e	480.00 acres	none
2	14 e	80.00 acres	none
		732.70 am't acres	

LAWRENCE COUNTY.

8	10 e	3.285.88 acres	none
6	11 e	102.00 acres	none
7	11 e	58.00 acres	none
8	11 e	799.73 acres	none
5	12 e	243.61 acres	none
		4.488.61 am't acres	

CLAIBORNE COUNTY.

11	1 e	19.45 acres	none
13	1 e	115.19 acres	115.19 acres
13	3 e	27.00 acres	none
		161.64 am't acres	115.19 am't

List, &c.—Continued.

COPIAH COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD:
Choc. Dist. }	1	1 e	492.80 acres	233.90 acres
	2	1 e	1.920.00 acres	1.623.90 acres
Dist. w't. P. R.	10	10 e	1.350.99 acres	200.00 acres
Choctaw Dist.	2	1 e	179.35 acres	159.86 acres
			3.913.05 am't acres	2.217.66 am't

JEFFERSON COUNTY.

10	2 w	994.00 acres	994.00 acres
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ADAMS COUNTY.

5	1 w	169.90 acres	none
4	3 w	4.000.00 acres	none
5	3 w	560.60 acres	none
3	4 w	3.646.66 acres	none
4	4 w	7.874.09 acres	none
5	4 w	1.356.55 acres	none
3	5 w	80.00 acres	none
		17.687.80 am't acres	

SIMPSON COUNTY.

	1	1 e	678.70 acres	262.80 acres
	2	1 e	3.418.97 acres	1.638.21 acres
Dis. east P. R.	10	20 w	240.01 acres	none
	10	21 w	1.490.36 acres	531.04 acres
			5.828.04 am't acres	2.432.05 am't

List, &c.—Continued.

RANKIN COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	3	1 e	2,074.75 acres	2,074.75 acres
Part of	4	1 e	582.57 acres	582.57 acres
	5	2 e	523.02 acres	none
	6	2 e	1,682.44 acres	none
	6	3 e	136.50 acres	136.50 acres
	7	3 e	257.52 acres	257.52 acres
	8	3 e	713.44 acres	713.44 acres
	3	5 e	722.82 acres	721.81 acres
	5	5 e	816.93 acres	816.93 acres
Part of	9	5 e	740.00 acres	740.00 acres
	8	4 e	991.30 acres	none
			9,259.29 am't acres	6,061.52 am't

HINDS COUNTY.

Part of	3	1 e	826.00 acres	826.00 acres
Part of	4	1 e	249.00 acres	249.00 acres
	6	2 e	46.00 acres	none
	3	1 w	1,117.68 acres	none
	8	3 w	490.50 acres	357.00 acres
			2,729.18 am't acres	1,132.00 am't

MADISON COUNTY.

	9	1 w	865.83 acres	865.83 acres
	8	2 w	1,460.46 acres	1,299.21 acres
	9	2 w	1,740.97 acres	760.33 acres
Part of	10	2 e	1,196.00 acres	1,029.27 acres
Part of	11	3 e	960.00 acres	960.00 acres
Part of	12	3 e	2,560.00 acres	2,560.00 acres
Part of	9	4 e	71.00 acres	71.00 acres
Part of	12	1 e	160.87 acres	160.87 acres
Part of	9	5 e	8,520.33 acres	2,375.77 acres
			17,544.46 am't acres	10,082.28 am't

*Lists, &c.—Continued.***SCOTT COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
	8	8 e	664.09 acres	41.50 acres
	8	9 e	3,985.94 acres	441.48 acres
			4.650.03 am't acres	482.98

LEAKE COUNTY.

	9	6 e	2.333.86 acres	157.24 acres
	10	6 e	2.423.04 acres	566.42 acres
	11	6 e	2.429.26 acres	1,701.27 acres
	12	6 e	1.130.83 acres	846.75 acres
	9	7 e	1,040.02 acres	151.40 acres
	10	7 e	1,924.11 acres	805.28 acres
	12	7 e	2,454.11 acres	1,485.87 acres
	9	8 e	2,111.00 acres	158.55 acres
	10	8 e	1,679.63 acres	243.35 acres
	11	8 e	1,480.41 acres	335.50 acres
	12	8 e	1,533.86 acres	720.33 acres
	11	9 e	1,508.02 acres	1,028.85 acres
	12	9 e	757.85 acres	757.85 acres
			23,003.00 am't acres	8,958.71 am't

ATTALA COUNTY.

Part of	14	4 e	160.00 acres	160.00 acres
Part of	14	5 e	1,350.55 acres	820.43 acres
Part of	15	5 e	2,452.44 acres	1,025.52 acres
	16	6 e	1,035.67 acres	383.89 acres
	13	7 e	2,991.53 acres	2,991.53 acres
	14	7 e	40.35 acres	40.35 acres
	14	8 e	1,464.94 acres	1,292.92 acres
	15	8 e	1,459.33 acres	1,303.75 acres
	15	9 e	2,220.52 acres	2,020.62 acres
			13,175.33 am't acres	10,039.06 am't

*List, &c. — Continued.***CHOCTAW COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
Part of	17	6 e	3.040.26 acres	2.959.22 acres
Part of	18	6 e	173.00 acres	173.00 acres
	18	7 e	5.446.44 acres	2.841.01 acres
	18	8 e	4,932.69 acres	4.893.25 acres
	18	9 e	3.864.53 acres	1.364.79 acres
	19	9 e	3.695.79 acres	2.294.01 acres
	18	10 e	2.508.00 acres	243.22 acres
	19	10 e	4.272.78 acres	962.87 acres
	20	10 e	241.30 acres	none
	18	11 e	1.601.75 acres	1.101.23 acres
	19	11 e	2.556.19 acres	none
	20	11 e	2,725.39 acres	401.05 acres
			34,061.12 am't acres	17,233.65 am't

NESHOMA COUNTY.

11	10 e	2.718.57 acres	318.69 acres
11	11 e	4.419.42 acres	none
11	12 e	172.67 acres	172.67 acres
12	12 e	5.348.26 acres	160.38 acres
12	13 e	5.733.17 acres	39.98 acres
		18,442.09 am't acres	691.72 am't

WINSTON COUNTY.

13	13 e	3.072.23 acres	80.48 acres
14	13 e	3,380.08 acres	39.08 acres
		7,207.57 am't acres	119.56 a'mt

The foregoing Tables show the submerged Lands located and sold in the several Townships composing the Counties. This recapitulation exhibits, the amount Located, Sold, and remaining unsold, in each County, viz :

COUNTIES.	LOCATED AND CONFIRMED.	LAND SOLD.	REMAINING UNSOLD.
	ACRES.	ACRES.	ACRES.
Issaquena	220,485,42	15,455,08	205,030,34
Washington	196,825,47	22,957,76	173,867,71
Bolivar	177,329,92	122,317,23	54,012,69
Coahoma	78,771,14	59,954,64	18,817,50
Tunica	38,180,21	27,849,53	10,330,68
Panola	24,578,29	8,450,65	16,127,64
Warren	59,636,90	662,77	59,010,13
Yazoo	146,313,45	34,226,92	122,086,53
Holmes	61,507,57	18,466,17	43,041,40
Sunflower	240,449,52	77,643,76	162,805,76
Tallahatchie	208,343,35	65,026,00	143,317,35
Carroll	45,533,82	12,207,49	33,326,33
Yallobusha	11,394,30	7,879,25	3,515,05
Wilkinson	15,045,42	1,731,43	13,313,99
Franklin	1,595,62	1,174,52	421,10
Amite	133,34	.....	133,34
Marion	732,70	.....	732,70
Lawrence	4,488,61	.....	4,488,61
Adams	17,687,80	.....	17,687,80
Jefferson	994,00	994,00	.....
Claiborne	161,64	115,19	46,45
Copiah	3,913,05	2,217,66	1,695,39
Simpson	5,828,04	2,432,05	3,395,99
Hinds	2,729,18	1,432,00	1,297,18
Rankin	9,259,29	6,061,52	3,197,77
Madison	17,544,46	10,082,28	7,462,18
Scott	4,650,03	482,98	4,167,05
Leake	23,003,00	8,958,71	14,044,29
Attala	13,175,33	10,039,06	3,136,27
Choctaw	34,061,12	17,233,65	16,827,47
Neshoba	18,442,09	691,72	17,750,37
Winston	7,207,57	119,56	7,088,01
Acres	1.690.001-39	536.863.26	1.153.138.13
	100	100	100

REMARKS.

The total am't located and confirmed to the
 State, from the foregoing estimate, is..... 1.694.360.11 acres
 Amount sold..... 541.221.98 acres
 Remaining unsold..... 1.152.138.13 acres

Omissions,—In Attala county, townships 12 and
 13, of range 4 east.....2.398.72, all sold
 In Yazoo county.....2.240.00,
 In Madison county..... 720.00, all sold
 5.358.72,

All sold and to be added to the above.

CHICKASAW SCHOOL LAND.

**OFFICE OF SECRETARY OF STATE, }
JACKSON, Miss., Feb. 15, 1854. }**

Sir: Allow me, through you, to transmit to the House of Representatives, a tabular statement of the condition of the Chickasaw School Lands in the several counties, ranges and townships in which they are located.

It is not pretended that I have succeeded in making this report perfectly accurate ; the record of this class of lands, as well as that of the Internal Improvement Lands, is so very imperfect, and in many places almost unintelligible, as to render anything more than a near approximation to accuracy impossible.

Very respectfully,

WILLIAM H. MUSE,

Secretary of State.

HON. H. CASSEDY, Speaker of the House of Representatives.

List of Chickasaw School Lands Located and Sold in the following Counties in Mississippi.

BOLIVAR COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.	LANDS UNSOLD.	REMARKS.
Part of	25	5 w	2,254.51 acres	none	2,254.51 acres	
	26	5 w	1,920.00 acres	40.10 acres	1,879.90 acres	
	21	6 w	1,732.64 acres	none	1,732.64 acres	
	25	6 w	2,628.01 acres	none	2,628.01 acres	
	21	7 w	6,284.74 acres	none	6,284.74 acres	
	24	7 w	2,477.90 acres	487.13 acres	1,990.77 acres	
	24	8 w	5,124.48 acres	1,568.22 acres	3,556.26 acres	
	25	8 w	388.20 acres	175.00 acres	213.20 acres	
			22,810.48 acres	2,270.45 acres	20,540.03 acres	

List, &c., Continued.—COAHOMA COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.	LANDS UNSOLD.	REMARKS.
Part of	27	2 w	9,453.50 acres	none	9,453.50 acres	There has been 625.52 acres in this county of the school Lands granted to pre-emptors, at \$ 2 50 per acre.
Part of	28	2 w	7,227.15 acres	1,189.75 acres	6,037.40 acres	
Part of	29	2 w	5,132.73 acres	554.42 acres	4,578.31 acres	
	30	2 w	1,371.74 acres	388.98 acres	982.76 acres	
	25	3 w	2,902.79 acres	none	5,902.79 acres	
	26	3 w	4,173.86 acres	none	4,173.86 acres	
	27	3 w	5,727.57 acres	357.94 acres	5,369.63 acres	
	28	3 w	19,000.81 acres	2,359.59 acres	16,641.22 acres	
	29	3 w	6,651.07 acres	924.86 acres	5,726.21 acres	
	30	3 w	4,619.78 acres	1,717.12 acres	2,902.66 acres	
	26	4 w	7,322.89 acres	none	7,322.89 acres	
	27	4 w	3,680.44 acres	1,031.96 acres	2,648.48 acres	
	28	4 w	2,845.06 acres	238.77 acres	2,606.29 acres	
	29	1 w	2,309.13 acres	79.82 acres	2,229.31 acres	
Part of	26	5 w	5,720.62 acres	40.10 acres	5,680.52 acres	
	27	5 w	11,492.41 acres	162.17 acres	11,330.24 acres	
			99,631.55 acres	9,045.48 acres	90,586.07 acres	

List &c., Continued.—TUNICA COTNTY.

Part of Part of	27	1 w	1,805.88 acres	609.51 acres	1,196.37 acres	There has been 420.58 acres in this county of the School Lands granted to pre-emptors at \$2 50 per acre.
	28	1 w	5,917.63 acres	1,855.41 acres	4,062.22 acres	
	29	1 w	1,455.90 acres	314.51 acres	1,141.39 acres	
	27	2 w	2,771.00 acres	337.55 acres	2,433.45 acres	
	28	2 w	5,772.85 acres	none	5,772.85 acres	
	29	2 w	4,881.07 acres	133.10 acres	4,747.97 acres	
			22,604.33 acres	3,250.08 acres	19,354.25 acres	

PONOLA COUNTY.

27	1 e	4,125.42 acres	597.53 acres	3,527.89 acres	There has been 93.60 acres granted to pre- emptors in this county at \$2 50 per acre.
28	1 e	319.86 acres	none	319.86 acres	
27	2 e	2,240.47 acres	80.40 acres	2,160.07 acres	
27	3 e	471.05 acres	none	471.05 acres	
		7,156.80 acres	677.93 acres	6,478 87 rcres	

TALLAHATCHIE COUNTY.

T.	R.	LANDS LOCATED.	LANDS SOLD.	LANDS UNSOLD.	REMARKS.
26	1 e	160.30 acres	none		
26	2 e	1,925.43 acres	none		
25	1 w	6,892.98 acres	none		
26	1 w	1,240.08 acres	none		
25	2 w	8,792.38 acres	none		
		19,011.17 acres		19,011.17 acres	

LEAKE COUNTY.

96	e	1,600.88 acres	none	1,600.88 acres
106	e	725.65 acres	none	725.65 acres
		2,326.53 acres		2,326.53 acres

RECAPITULATION.

COUNTIES.	LANDS LOCATED.	LANDS SOLD.	LANDS UNSOLD.
Bolivar.....	22,810.48 acres	2,270.45 acres	20,540.03 acres
Coahoma	99,631.55 acres	9,045.48 acres	90,586.07 acres
Tunica	22,604.33 acres	3,250.08 acres	19,354.25 acres
Panola.....	7,156.80 acres	677.93 acres	6,478.87 acres
Tallahatchie..	19,011.17 acres	none	19,011.17 acres
Leake.....	2,326.53 acres	none	2,326.53 acres
TOTALS.	173,540.86 acres	15,243.94 acres	158,296.92 acres

Total amount of Chickasaw School Land as it
appears on the Tract Book and represented
on the Township Maps, in the Secretary of
State's Office.....

173,540.86 acres.

Total amount sold.....

15,243.94 acres.

Amount now remaining unsold.....

158,296.92 acres.

INTERNAL IMPROVEMENT LAND.

**OFFICE OF SECRETARY OF STATE,
JACKSON, Jan. 12, 1854.**

SIR :—Permit me, through you, to transmit to the House of Representatives, in pursuance of the resolution of that honorable body, a report of the condition of the five hundred thousand (500,000) acres of internal improvement lands. It will be seen by inspection, that I have been particular to give a full statement of the amount of internal improvement lands in the several counties, ranges and townships in which they are located, together with a statement of the amount sold and unsold in each county, range and township. This report was made with great care, and I am confident is, in the main, correct. There may be a discrepancy between the statement here made and that made by me in a former report as to the amount of land sold and remaining unsold; but that is owing to the great quantity of this land sold since the date of that report, this class of land being in great demand.

Very Respectfully,

**WM. H. MUSE,
Secretary of State.**

**To Hon. H. CASSEDY,
Speaker of the House of Representatives.**

LIST of Internal Improvement Lands located and sold in the following Counties, State of Mississippi:

BOLIVAR COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
part of	19	5 w	3,034.00 acres	1,613.57 acres
	20	5 w	7,300.00 acres	946.93 acres
	21	5 w	5,770.00 acres	none
	22	5 w	15,907.00 acres	none
	23	w	15,200.00 acres	none
	24	w	17,383.00 acres	none
	25	5 w	4,480.00 acres	none
	26	5 w	2,560.00 acres	2,560.00 acres
	20	6 w	6,500.00 acres	1,834.60 acres
	22	6 w	2,880.00 acres	none
	25	6 w	6,960.00 acres	885.81 acres
	21	7 w	1,118.80 acres	none
	24	7 w	3,690.00 acres	3,610.24 acres
	24	8 w	2,240.00 acres	714.51 acres
			95,022.80 acres am't	12,165.66 am't

COAHOMA COUNTY.

31	4 w	154.72 acres	154.72 acres
28	2 w	2,383.00 acres	2,361.90 acres
29	2 w	2,086.00 acres	407.04 acres
25	3 w	7,200.00 acres	962.04 acres
26	3 w	11,949.00 acres	389.16 acres
27	3 w	7,600.00 acres	1,174.00 acres
29	3 w	3,090.42 acres	1,130.50 acres
30	3 w	137.5 cres	137.50 acres
25	4 w	8,875.00 acres	4,475.99 acres
26	4 w	6,600.00 acres	255.00 acres
27	4 w	5,040.00 acres	2,812.00 acres
28	4 w	6,880.00 acres	4,424.99 acres
29	4 w	4,050.00 acres	2,473.52 acres
30	4 w	319.72 acres	319.72 acres
26	5 w	1,920.00 acres	955.66 acres
27	5 w	3,920.00 acres	1,537.86 acres
		72,205.36 acres am't	23,972.60 am't

Large. — Continued.

WASHINGTON COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
part of	19	5 w	4,559.00 acres	4,042.00 acres

PANOLA COUNTY.

27	1 e	3,840.00 acres	763.45 acres
27	2 e	2,560.00 acres	890.22 acres
		<u>6,400.00 acres</u>	
28	1 e	837.02	
		<u>6,737.02 total am't</u>	<u>1,653.67 am't</u>

SUNFLOWER COUNTY.

19	1 e	1,877.00 acres	1,744.96 acres
17	1 w	2,880.00 acres	798.30 acres
18	1 w	2,280.00 acres	1,032.70 acres
19	1 w	1,860.00 acres	1,860.00 acres
21	1 w	417.10 acres	417.10 acres
18	2 w	2,720.00 acres	2,192.79 acres
20	2 w	6,846.00 acres	2,659.69 acres
21	2 w	7,920.00 acres	3,405.84 acres
17	3 w	2,038.60 acres	680.22 acres
19	3 w	1,637.99 acres	none
20	3 w	6,724.57 acres	none
21	3 w	14,400.00 acres	336.56 acres
22	3 w	14,240.00 acres	241.03 acres
23	3 w	7,445.00 acres	none
18	4 w	4,236.00 acres	2,362.25 acres
19	4 w	4,826.76 acres	2,720.71 acres
20	4 w	9,440.00 acres	2,397.48 acres
21	4 w	13,020.00 acres	2,527.32 acres
22	4 w	12,500.00 acres	1,507.89 acres
23	4 w	10,280.00 acres	none
24	4 w	11,600.00 acres	none
21	1 e	1,382.18 acres	1,364.98 acres
		141,561.18 am't	28,239.72 am't

*List &c.—Continued.***TALLAHATCHIE COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
.....				
	22	1 e	3,860.00 acres	1,906.06 acres
	23	1 e	4,480.00 acres	1,611.32 acres
	25	1 e	1,143.70 acres	80.00 acres
	26	1 e	3,680.00 acres	675.78 acres
	22	2 e	955.00 acres	119.38 acres
	25	2 e	4,960.00 acres	2,917.67 acres
	26	2 e	4,000.00 acres	800.34 acres
	25	3 e	2,800.00 acres	1,125.79 acres
	26	3 e	1,840.00 acres	884.94 acres
	26	4 e	2,960.00 acres	1,541.80 acres
	22	1 w	796.40 acres	476.40 acres
	23	1 w	13,720.00 acres	7,942.54 acres
	24	1 w	14,000.00 acres	10,475.61 acres
	25	1 w	1,446.00 acres	807.51 acres
	26	1 w	6,080.00 acres	none
	22	2 w	6,420.00 acres	80.25 acres
	23	2 w	4,460.00 acres	1,160.34 acres
	24	2 w	8,720.00 acres	4,192.99 acres
	25	2 w	3,680.00 acres	40.07 acres
	26	2 w	3,610.00 acres	none
			92,911.10 acres am't	36,838.79 amt

TUNICA COUNTY.

27	1 w	9,120.00 acres	283.78 acres
28	1 w	6,480.00 acres	433.63 acres
28	2 w	1,712.00 acres	1,712.00 acres
29	2 w	1,064.00 acres	78.71 acres
		18,713.00	
		337.00 amt off	
		18,376.00 total am't	2,508.12 am't

*List &c.--Continued.***COPIAH COUNTY.**

	T.	R.	LANDS LOCATED.	LANDS SOLD.
.....				
Dist. E of	10	5 e	1,200.00 acres	1,067.56 acres
Pearl River.	10	6 e	686.25 acres	636.24 acres
			1,886.25 acres am't	1,703.74 am't

YAZOO COUNTY.

| 13 | 4 w | 6,722.78 acre2 am't | 4,160.00 acres

HOLMES COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
..				
15	1	e	1,541.34 acres	41.62 acres
16	1	e	5,600.00 acres	231.66 acres
17	1	e	240.00 acres	none
			none	none
15		w	3,680.00 acres	3,212.19 acres
16		w	4,160.00 acres	2,523.24 acres
17		w	3,500.00 acres	2,927.19 acres
			18721.34 acres am't	8,935,9.90 am't

OKTIBBEHA COUNTY.

	T.	R.	LANDS LOCATED.	LANDS SOLD.
..				
17	12	e	1,760.00 acres	160.29 acres
18	12	e	324.14 acres	none
18	12	e	1,333.00 acres	none
			3,417.14 acres am't	160.29 am't

*List &c.—Continued.***CARROLL COUNTY.**

T	R	LANDS LOCATED.	LANDS SOLD.
..			
17	1 e	1,020.00 acres	none
19	1 e	4,503.00 acres	2,697.06 acres
21	1 e	3,897.82 acres	3,737.44 acres
16	4 e	1,760.00 acres	1,279.31 acres
17	1 w	20.00 acres	20.00 acres
18	1 w	670.00 acres	670.00 acres
		11,870.82 acres am't	8,403.81 am't

YALLOBUSHA COUNTY.

T	R	LANDS LOCATED.	LANDS SOLD.
..			
23	6 e	1,840.00 acres	523.16 acres
23	7 e	5,680.00 acres	3,005.57 acres
24	7 e	970.00 acres	639.24 acres
		8,490.00 acres am't	4,167.97 am't

CALHOUN COUNTY.

T	R	LANDS LOCATED.	LANDS SOLD.
..			
23	8 e	4,640.00 acres am't	2,424.99 acres

*List &c.—Continued.***RECAPITULATION.**

COUNTIES.	LANDS LOCATED & CONFIRMED IN EACH COUNTY.	LANDS SOLD IN EACH COUNTY.	LAND REMAIN- ING UNSOLD IN EACH COUNTY.
.....	ACRES.	ACRES.	ACRES.
.....			
Washington	4,550.00	4,042.00	508.00
Bolivar	95,022.80	12,165.66	82,857.14
Coahoma	72,205.26	23,972.60	48,232.76
Tunica	18,376.00	2,508.12	15,867.88
Panola	6,737.02	1,653.67	5,083.35
Yazoo	6,722.78	4,160.00	2,562.78
Sunflower	141,561.18	28,239.72	113,321.46
Tallahatchie	92,911 10	36,838.79	56,072.31
Copiah	1,886.25	1,703.74	182.51
Holmes	18,721.34	8,935.94	9,785.44
Carroll	11,870.82	8,403.81	3,467.01
Yalobusha	8,490.00	4,167.97	4,322.03
Oktibbeha	3,417.14	160.29	3,256.85
Calhoun	4,640.00	2,424.99	2,215.01
.....			
	487,111.79	139,377.26	347,734.53

**Total amount of Internal Improvement land
located.....487,111.79 acres**
Amount sold in all the counties.....139,377.26 acres
Remaining unsold.....347,734.53 acres

Assessment of Persons and Personal Property in the State of Mississippi for the Year 1853.

NAME OF COUNTIES.	AMOUNT OF MONEY LOANED AT INTEREST, &c.	AMOUNT OF MERCHANDISE SOLD BY REGULAR MERCHANTS.	AMOUNT OF BANK STOCK.	AMOUNT OF MERCHANDISE SOLD AT AUCTION, &c.	No. OF PLEASURE CARRIAGES.	VALUE OF PLEASURE CARRIAGES.	No. OF WATCHES.	VALUE OF WATCHES.	No. OF CLOCKS.	VALUE OF CLOCKS.	No. OF ALLEYS FOR PUBLIC PLAY.	No. OF THEATRES.	No. OF RACE TRACKS.	No. OF BOWIE KNIVES.	No. OF DUELING OR POCKET PISTOLS.	No. OF CATTLE OVER TWENTY HEAD.	No. OF TAXABLE HORSES.	VALUE OF TAXABLE HORSES.	VALUE OF GOLD & SILVER.	No. OF PIANOS.	VALUE OF PIANOS.	No. OF TOLL BRIDGES, FERRIES AND TURNPIKES.	VALUE OF TOLL BRIDGES, FERRIES AND TURNPIKES.	No. OF STALLIONS.	PRICE OF SEASON.	No. OF JACKS.	PRICE OF SEASON.
Adams.....	\$233,955 00	\$1,691,974 00			335	\$63,980 00	513	\$34,174 00	347	6,250 00	2			1	118	\$8,303 672	\$72,050 00	\$2,339 212	\$38,670 00	1	\$800 00	3	\$85 00	1			
Albany.....	180,633 00	114,218 00			161	31,629 00	198	11,769 00	374	4,554 00				1	28	4,622 143	16,918 00	225 15	3,160 00	1	200 00	4	29 00	5			
Albany.....	39,927 00	130,985 00			95	11,150 00	128	5,603 00	367	4,038 50				2	25	1,962 41	4,875 00	6	1,250 00	3	1,200 00	3	18 00				
Albany.....	5,334 00	8,700 00			4	365 00	69	4,103 00	47	364 00				3	12	2,185 57	5,495 00	8	1,815 00			2	10 00				
Albany.....	20,971 00	58,200 00			36	3,205 00	44	1,357 00	251	2,411 00				3	20	446 11	1,130 00	1	250 00			4	18 50				
Albany.....	113,427 00	446,222 00			291	42,180 00	438	20,533 00	739	7,288 00	2			11	66	4,112 178	19,405 00	405 37	9,430 00	3	10,025 00	4	31 00				
Albany.....	52,210 00	173,499 00			215	30,775 00	203	9,841 00	337	2,585 00				12	44	2,136 78	8,405 00	13	3,350 00	2	900 00	4	27 00	10			
Albany.....	34,842 00	110,672 00			62	7,520 00	105	4,738 00	447	4,365 00				3	30	783 17	2,290 00	2	500 00	2	200 00	19	104 00	8			
Albany.....	142,674 00	530,520 00		836 00	264	45,685 00	435	26,840 00	301	3,047 00				5	68	6,892 474	51,420 00	1,818 84	17,080 00	2	266 13	1	10 00				
Albany.....	5,998 00	70,150 00		360 00	62	7,780 00	47	2,415 00	145	1,355 00				1	6	780 21	1,845 00	2	700 00			1	7 00	1			
Albany.....	9,200 00	43,968 00			3	625 00	51	3,042 00	11	137 00				7	50	2,387 94	9,230 00	380 6	1,125 00	1	250 00	8	32 50	6			
Albany.....	60,223 38	103,382 90			165	21,535 00	232	8,809 00	621	5,844 50	1			7	110	1,573 135	13,915 00	120 33	8,625 00	4	16,500 00	10	34 37	13			
Albany.....	132,869 00	161,992 00			246	42,230 00	192	18,941 00	444	2,509 00	1			2	32	2,707 86	9,435 00	150 6	1,500 00	1	150 00	1	3 00				
Albany.....	52,395 00	30,760 00			81	11,556 00	107	6,400 00	172	1,504 00	2			1	1	6,451	1,600 00	300	1,395 00								
Albany.....	5,200 00	400 00			7	565 00	6	153 00	43	628 00				1	2	9,941											
Albany.....	7,710 00	42,112 00				2,850 00		2,559 00		710 00	1																
Albany.....	242,457 00	1,156,495 00		1,300 00	770	108,088 00	890	49,895 00	854	7,883 00	9			24	128	7,070 498	57,618 00	10,005 182	33,685 00	4	8,245 00	8	74 00	10			
Albany.....	105,037 00	235,904 00		1,025 00	314	37,580 00	321	17,927 00	393	3,699 00	2			12	74	3,065 131	16,065 00	470 31	7,150 00	3	1,300 00	3	26 00	6			
Albany.....	13,181 00	4,800 00			14	1,500 00	100	6,335 00	38	219 50				5	18	2,859 73	6,870 00	205 5	900 00	1	50 00	9	39 00	13			
Albany.....	13,293 00	147,733 00			58	6,768 00	88	2,999 00	430	3,811 00				5	38	1,067 14	1,605 00		1,025 00	7	460 00	2	7 50				
Albany.....	3,950 00	42,975 00			10	1,372 00	34	1,445 00	53	484 00				1	1	5,554 1	100 00	607 6	1,102 00			6	37 00	3			
Albany.....	15,718 78	76,430 00			59	6,605 00	77	2,971 00	267	1,967 00				1	9	3,014 13	1,565 00	6	10,752 00	5	56 00	5					
Albany.....	216,713 00	287,857 00			258	41,762 00	337	20,969 00	285	3,013 00	1			14	67	7,067 401	42,320 00	4,180 55		1	50 00	2	19 00	1			
Albany.....	3,315 30	3,448 00			2	100 00			36	262 00				6	26	2,257 32	3,584 00	26	5,330 00			5	28 50	11			
Albany.....	72,530 00	103,754 00			117	16,732 00	98	5,247 00	220	3,455 00				2	46	1,530 76	7,265 00	175 30	6,670 00	3	2,450 00	9	55 00	2			
Albany.....	59,057 00	183,284 00			162	21,850 00	197	8,777 00	461	3,978 00				1	27	1,740 24	2,588 00	10 5	1,450 00			7	31 00				
Albany.....	29,088 00	128,123 00			73	9,790 00	94	4,067 00	317	3,428 00	2			5	27	2,462 28	3,285 00	50 7	950 00	2	800 00	5	38 00				
Albany.....	80,525 00	107,703 00			38	4,033 00	102	4,489 00	272	2,646 00				3	31	2,115 17	1,955 00	7	1,075 00	6	1,000 00	1	10 00	7			
Albany.....	27,985 00	65,100 00			95	9,910 00	81	2,511 00	230	2,528 00	2			10	107	1,759 195	20,505 00	2,946 119	24,425 00	7	4,550 00	6	40 00	7			
Albany.....	331,142 00	696,374 00	100,000 00	2,212 00	482	79,010 00	593	32,567 00	454	2,969 00	2			3	48	7,959 316	39,790 00	3,895 86	20,255 00			3	20 50				
Albany.....	222,974 00	345,969 00			605	89,426 00	442	28,294 00	331	3,620 00	4			6	78	1,251 136	13,628 00	1,650 87	21,450 00	2	6,000 00	5	22 00	15			
Albany.....	76,301 00	28,605 65			22	3,595 00	29	1,713 00	64	735 00				23	121	2,482 156	18,710 00			4	2,850 00	6	35 00	5			
Albany.....	262,215 00	490,285 00	58,600 00		461	74,805 00	497	26,545 00	605	4,297 00	1			1	10	1,564 17	1,795 00	6	1,400 00			3	14 00	1			
Albany.....	190,916 00	757,656 00		2,221 78	343	61,220 00	391	22,968 00	453	3,880 00				4	16	3,972 11	980 00					12	102 50	6			
Albany.....	21,950 00	41,548 00			49	5,060 00	49	2,160 00	222	2,370 50				6	55	2,783	16,360 00	35	8,125 00	2	590 00	8	36 65				
Albany.....	17,950 77	46,681 00			37	3,890 00	26	855 00	172	1,929 75	1			5	16	2,322 56	6,360 00	125 12	2,100 00	3	1,000 00	4	52 00				
Albany.....	124,054 00	207,219 00			159	45,512 00	157	7,058 00	257	1,685 00				8	32	1,973 77	7,810 00	200 20	3,650 00			13	94 00	13			
Albany.....	53,868 80	93,958 00			66	3,940 00	110	5,224 00	177	5,628 00				2	8	1,728 2	160 00	200 14	3,700 00	1	800 00	6	26 25	3			
Albany.....	98,972 00	104,509 00			198	24,985 00	226	9,215 00	572	4,882 00				2	8	1,337 4	440 00		350 00			4	19 00	1			
Albany.....	80,195 00	193,667 00			93	15,405 00	151	7,809 00	152	1,439 00	1			3	13	2,467 2	255 00					2	8 12	1			
Albany.....	58,115 00	282,332 00			51	5,508 00	49	2,638 00	188	2,058 00				2	4	843 29	3,165 00	160 8	1,750 00			1	8 00				
Albany.....	17,021 00	97,134 00			33	4,464 00	48	1,534 00	192	1,880 00				3	32	816 59	5,705 00	25	5,295 00	3	2,000 00	6		16			
Albany.....	26,786 00	26,660 00			19	1,630 00	17	673 00	145	1,494 50				4	49	710 35	3,000 00	6	1,050 00	2	1,000 00	12	27 18	12			
Albany.....	11,540 42	21,556 32			4	1,150 00	35	1,962 00	22	254 00				2	18	1,351 11	1,050 00			1	500 00						
Albany.....	4,534 00	107 00			46	6,355 00	66	3,857 00	94	776 50				18	94	8,234 365	36,865 00	10,175 121	23,480 00	4	450 00	2	18 00	9			
Albany.....	4,519 00	38,225 00			51	8,055 00	188	13,630 00	69	638 00				2	50	4,463 214	22,030 00	2,330 28	6,350 00								
Albany.....	7,244 46	136,311 00			242	44,410 00	355	24,676 00	266	3,438 00				6	88	6,204 410	47,410 00	2,490 75	13,270 00	1	250 00	4	44 00	2			
Albany.....	31,588 00	81,530 00			95	13,045 00	106	5,023 00	248	2,455 00				1	14	1,821 30	3,360 00	85 12	2,310 00			5	25 00	5			
Albany.....	3,955 00			10,500 00	282	41,405 00	540	43,023 00	359	3,536 00	6			6	43	2,886 126	13,365 00	150 58	7,740 00			3	21 00	3			
Albany.....	198,240 00	2,054,250 00			51	8,055 00	188	13,630 00	69	638 00																	
Albany.....	71,750 00	52,000 00			7	1,445 00	27	1,100 00	51	389 00																	
Albany.....	9,512 00	1,900 00			242	44,410 00	355	24,676 00	266	3,438 00																	
Albany.....	94,325 00	270,324 00		3,966 00	95	13,045 00	106	5,023 00	248	2,455 00																	
Albany.....	78,204 00	110,097 00			193	32,165 00	318	15,134 00	471	4,230 00																	
Albany.....	137,161 00	450,853 00																									

Assessment of Lands in the State of Miss. for the Years 1853, '54, '55, '56.

	NO. OF FREE MALE NEGROES TAXABLE.	NO. OF SLAVES TAX-ABLE.	NO. OF FREE WHITE POLLS TAXABLE.	AMOUNT OF STATE TAX.	NAMES OF COUNTIES.	NUMBER OF ACRES NOW TAXABLE.	TOTAL VALUE OF LANDS NOW TAX-ABLE.	NUMBER OF ACRES TAXABLE IN 1854.	TOTAL VALUE OF LANDS TAXABLE IN 1854.	NUMBER OF ACRES HELD BY STATE FOR TAXES.	TOTAL VALUE OF LANDS HELD BY STATE FOR TAXES.	STATE TAX ON LANDS NOW TAX-ABLE.	TOTAL AMOUNT OF TAX ON LANDS AND PERSONALTY.	REMARKS.
25 00	5	13,498	503	\$10,677 46	Adams.....	256,007	\$ 4,113,071 00					6,426 67	17,104 13	
.....	4	6,313	701	3,640 91	Amite.....	257,748	976,642 33	80	370 00	8,026	10,033 15	1,526 99	5,167 90	
30 00	.....	2,997	1,225	2,067 73	Attala.....		1,015,973 67		670 00	3,800	4,670 00	1,580 00	3,647 73	
.....	.....	2,607	116	1,157 79	Bolivar.....	328,471	1,348,728 17	981	2,662 60	7,186	7,418 95	2,123 50	3,281 29	
35 00	.....	1,155	962	996 41	Calhoun.....	359,369	643,556 00			32,760	41,007 00	1,005 25	2,001 66	
44 00	1	9,640	1,445	5,904 23	Carroll.....	487,607	1,873,589 76	1,252	1,485 39	17,863	18,428 03	2,946 68	8,850 91	
65 00	1	6,482	1,392	3,747 22	Chickasaw.....	428,484	1,771,468 93			13,265	16,656 25	2,793 91	6,541 13	
39 00	.....	2,914	1,399	2,056 69	Choctaw.....	370,231	714,096 00	80	100 00	2,840	3,550 00	1,115 77	3,172 46	
5 00	10	11,199	691	6,733 26	Claiborne.....	287,906	2,440,806 00	40	100 00			3,827 24	10,560 50	
10 00	.....	2,040	537	1,187 90	Clarke.....	78,508	530,099 75			580	700 00	848 44	2,036 34	
6 00	.....	1,631	230	844 37	Coahoma.....	147,624	708,551 06			6,205	7,377 67	1,107 74	1,952 11	
20 63	1	5,640	1,113	3,199 77	Copiah.....	330,198	966,723 64	1,171	2,334 53	2,858	3,378 49	1,511 42	4,711 19	
.....	.....	.....	.....	.....	Covington.....									No assessment received.
5 00	2	10,027	1,748	5,629 78	De Soto.....		2,884,920 00					4,451 44	10,081 22	
5 00	1	3,622	420	1,906 02	Franklin.....	162,404	453,008 50	98	122 50	2,600	2,160 25	709 83	2,615 85	
.....	.....	631	200	364 03	Green.....	47,903	53,213 00					196 46	560 49	
.....	8	1,203	379	842 52	Hancock.....		530,491 00					820 65	1,663 17	
.....	.....	.....	.....	.....	Harrison.....									No assessment received.
3 00	5	17,353	1,752	11,659 86	Hinds.....	517,250	4,218,680 50			18,658	23,322 50	6,627 88	18,287 74	
0 00	.....	8,351	1,051	4,777 69	Holmes.....	403,344	1,915,964 00	2,206	2,157 50	15,074	15,829 50	2,994 88	7,772 57	
.....	.....	4,606	143	1,930 28	Issaquena.....	178,131	1,766,090 00	3,019	13,971 00	36,241	45,301 25	2,761 90	4,692 18	
6 00	2	2,243	1,965	1,981 79	Itawamba.....	484,467	1,138,785 13	320	70 00	70,857	73,895 78	1,779 35	3,761 14	
.....	11	702	305	530 74	Jackson.....	87,749	339,794 00	1,114	40 00			530 77	1,061 51	
9 00	.....	2,030	671	1,271 49	Jasper.....								1,271 49	On Personalty only, Land Roll not received
4 00	4	10,896	601	6,175 72	Jefferson.....	261,417	1,650,618 00			1,300	3,620 00	2,579 09	8,754 81	
.....	.....	289	263	230 94	Jones.....	23,513	19,526 00					35 26	266 20	
7 50	1	4,538	1,021	2,610 37	Kemper.....	272,532	890,394 00					1,391 33	4,001 70	
9 00	1	5,376	1,290	3,278 29	Lafayette.....	396,603	1,294,269 00			27,054	33,664 00	2,022 30	5,300 59	
9 00	.....	2,678	929	1,812 81	Lauderdale.....	154,254	810,138 85				2,000 00	1,030 97	2,843 78	
.....	.....	2,949	661	1,829 81	Lawrence.....	148,100	341,498 20			2,107	2,537 00	533 62	2,363 43	
.....	4	1,819	703	1,275 11	Leake.....	137,330	481,398 00			9,500	9,970 00	752 18	2,027 29	
5 00	4	12,925	1,116	8,473 44	Lowndes.....	212,499	2,460,409 25			1,345	1,681 25	3,844 39	12,317 83	
6 00	1	15,326	868	8,388 90	Madison.....	447,881	3,370,882 00			1,067	1,067 00	5,266 94	13,655 84	
.....	.....	1,937	233	1,050 73	Marion.....	101,428	138,094 61			1,222	130 20	215 51	1,266 24	
3 75	2	14,536	2,096	8,631 16	Marshall.....		3,428,143 00					5,362 83	13,993 99	
5 50	5	11,190	1,467	7,418 56	Monroe.....	391,581	3,369,979 80			21,786	26,315 68	5,265 59	12,684 15	
5 00	.....	1,448	625	1,000 63	Neshoba.....	231,175	368,120 05	360	500 00	3,825	3,425 00	575 18	1,575 81	
5 00	.....	1,363	618	931 40	Newton.....	185,291	398,378 09	408	540 00	3,600	4,500 00	622 46	1,553 86	
0 00	1	11,525	938	5,936 01	Noxubee.....	379,050	2,691,729 00			1,144	986 00	4,205 76	10,141 77	
9 38	1	4,765	739	2,628 67	Oktibbeha.....	307,959	957,223 96			29,708	23,996 00	1,495 75	4,114 42	
5 00	3	7,578	1,010	4,443 04	Panola.....	432,615	2,041,298 00	40	160 00	636	995 00	3,189 52	7,632 56	
5 00	1	5,389	2,018	3,631 09	Pontotoc.....	563,825	1,966,797 00			7,887	8,516 00	3,833 14	12,450 14	
5 00	3	4,013	794	2,643 00	Rankin.....	341,886	776,343 50			34,618	41,701 00	1,213 04	3,856 04	
.....	.....	1,171	498	914 21	Scott.....	197,131	471,675 00			20,061	20,465 00	736 81	1,651 02	
5 00	3	1,685	488	913 33	Simpson.....	85,733	315,979 00	1,720	5,480 00	80	80 00	500 60	1,413 93	
3 12	.....	1,074	509	693 91	Smith.....	69,388	153,530 00					239 80	933 71	
.....	.....	1,284	124	575 84	Sunflower.....	165,196	571,932 85	318	636 00	2,374	4,281 73	893 02	1,488 86	
.....	.....	2,489	384	1,253 29	Tallahatch.....	165,399	542,119 02			11,073	11,073 12	857 63	2,110 92	
.....	.....	4,652	2,248	3,158 68	Tippah.....	633,901	1,825,075 75					2,654 75	5,813 43	
4 62	.....	2,709	2,288	2,836 53	Tishoming.....		1,781,598 00		185 00			17,322 01	5,622 11	
8 25	.....	1,070	97	487 23	Tunica.....	307,291	803,304 00			31,154	37,196 75	1,252 13	1,739 36	
0 00	4	11,570	1,144	10,303 51	Warren.....		3,601,056 00			6,730	10,862 00	5,626 64	15,930 15	
.....	9	8,981	237	4,092 32	Washingto.....	466,316	3,498,351 00			42,356	42,356 00	5,456 18	9,548 50	
.....	.....	1,302	220	632 20	Wayne.....	67,718	81,973 95					134 13	766 33	
0 00	3	13,098	686	6,807 41	Wilkinson.....		2,063,048 25					3,223 50	10,030 91	
0 00	1	2,645	854	1,891 02	Winston.....	346,688	656,601 00	120	340 00	1,040	1,120 00	1,025 94	2,916 96	
0 00	.....	7,794	1,151	4,904 28	Yallobusha.....	375,987	1,504,331 00			6,257	10,667 75	2,351 63	7,255 91	
.....	.....	.....	.....	.....	Yazoo.....									No assessment received.
75	107	303,000	49,149	\$ 167,527 61	TOTALS.	13,379,584	\$76,201,031 57	13,327	\$ 31,924 52	508,223	\$597,267 31	\$ 118,893 15	\$ 306,420 76	

SIR:—Allow me, through you, to transmit to the House of Representatives, the Report of the Superintendent of the State Penitentiary, required to be made to the Secretary of State, by the forty-fourth Section of the seventeenth Article of the sixty-fourth Chapter of Hutchinson's Mississippi Code.

Very Respectfully,
WILLIAM H. MUSE, Secretary of State.

Convicts Pardoned, Discharged, &c., from the State Penitentiary between Nov. 30, '52 & Nov. 30, '53, Inclusive.

NOS.	NAMES.	AGE.	HEIGHT.	DESCRIPTION.	CRIMES.	COUNTY WHERE CONVICTED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.	REMARKS.
43	Thomas S. Johnston....	30	5 feet 9 inches.	Black hair and grey eyes.....	Forgery.....	Warren—Circuit Court..	December 19th, 1850.....	December 14th, 1852.....	Kentucky.....	Discharged by expiration of sentence.
75	John Timon.....	21	5 feet 11 inches.	Sandy hair and blue eyes.....	Larceny.....	Wilkinson	January 2, 1850.....	December 14th, 1852.....	Mississippi.....	Discharged by " "
40	William G. Haskins....	24	5 feet 10 inches.	Light sandy hair, blue eyes.....	Assault to murder.....	Marion	April 28, 1851.....	April 17, 1853.....	North Carolina.....	Pardoned January 20, 1853.
5	Jeffrey A. Tally.....	30	6 feet 1-2 inch.	Light sandy hair, blue eyes.....	Larceny.....	Marshall	August 13, 1852.....	July 31, 1854.....	Virginia.....	Pardoned February 21, 1853.
35	Alexand'r Short.....	24	5 feet 8 1-2 "	Light brown hair, blue eyes.....	Larceny.....	Coahoma	March 19, 1850.....	March 16, 1853.....	Kentucky.....	Discharged by expiration of sentence.
14	W.B. Cummins.....	21	6 feet.	Sandy hair, blue eyes, scar on left eye.....	Stealing horse.....	Pontotoc	April 30, 1849.....	April 20, 1853.....	South Carolina.....	Pardoned April 12, 1853.
1	Samuel Jones.....	24	5 feet 9 inches.	Black hair, grey eyes scar on left leg.....	Forgery.....	Marshall	August 11, 1851.....	July 26, 1856.....	Kentucky.....	Escaped April 13, 1853.
6	W. H. Byers.....	21	5 feet 10 inches.	Dark brown hair, blue eyes, scar on left instep	Larceny.....	Tippah	September 26, 1852.....	September 13, 1856.....	Alabama.....	Escaped April 13, 1853.
19	Stephen Dwyer.....	32	5 feet 5 1-2 "	Auburn hair, blue eyes.....	Grand Larceny.....	Warren	May 7, 1859.....	May 4, 1853.....	Ireland.....	Discharged by expiration of sentence.
62	Joe Obey.....	25	5 feet 10 1-2"	Jet black hair, black eyes.....	Grand Larceny.....	Warren	May 7, 1849.....	May 4, 1853.....	Louisiana.....	Discharged by " "
18	John Adams.....	25	5 feet 8 inches.	Brown hair, grey eyes.....	Larceny.....	Tippah	September 26th, 1852.....	September 13, 1856.....	Tennessee.....	Killed in attempt to escape, July 20, 1853.
57	William Parker.....	26	5 feet 7 inches.	Dark hair, hazel eyes.....	Larceny.....	Panola	May 30, 1850.....	May 18, 1853.....	New York.....	Discharged by expiration of sentence.
54	George Riley.....	20	5 feet 8 3/4 inches.	Black hair, black eyes.....	Larceny.....	Panola	May 30, 1850.....	May 18, 1853.....	New York.....	Discharged by " "
37	David A. Neal.....	21	5 feet 7 1-2 "	Grey eyes, dark hair and skin.....	Negro stealing.....	Kemper	March 28, 1853.....	March 17, 1863.....	Alabama.....	Died June 2, 1853.
39	E. W. Hill.....	25	5 feet 11 inches.	Dark hair, grey eyes.....	Bestiality.....	Jones	November 6, 1852.....	October 26, 1855.....	Alabama.....	Discharged by order H. Court of E. and Appeals.
52	Eli A. Talmage.....	33	5 feet 8 inches.	Black hair and eyes, and dark skin.....	Arson.....	Neshoba	September 29, 1852.....	September 21, 1854.....	New York.....	Escaped July 14, 1853.
40	William W. Beck.....	29	5 feet 11 1-2"	Blue eyes, dark curly hair, and large face....	Negro stealing.....	Marshall	February 19, 1853.....	February 7, 1858.....	Tennessee.....	Escaped August 15, 1853.
30	John Briscoe.....	27	6 feet.	Brown hair, blue eyes.....	Manslaughter.....	Harrison	September 28, 1849.....	September 21, 1853.....	Mississippi.....	Pardoned August 15, 1853.
26	William Howell.....	34	5 feet 6 inches.	Auburn hair, blue eyes.....	Larceny.....	Chickasaw	September 19, 1851.....	September 9, 1853.....	England.....	Discharged by expiration of sentence.
17	Richard Booth.....	35	5 feet 7 inches.	Black hair, hazel eyes.....	Larceny.....	Lowndes	October 2, 1851.....	October 2, 1853.....	Georgia.....	Discharged by " "
60	Thomas H. Riley.....	42	5 feet 9 1-2 "	Black hair, brown eyes.....	Larceny.....	Hinds	October 6, 1851.....	October 2, 1853.....	New York.....	Discharged by " "
16	Josiah Wright.....	21	5 feet 5 1-2 "	Auburn hair, dark blue eyes.....	Horse stealing.....	Tishomingo	October 16, 1850.....	October 16, 1853.....	South Carolina.....	Discharged by " "
53	Hendley Diggs.....	33	5 feet 7 1-2 "	Light brown hair, blue eyes.....	Assault to kill.....	Yallobusha	November 21, 1851.....	November 1, 1855.....	North Carolina.....	Pardoned October 28, 1853.
70	Dennis McMahon.....	33	5 feet 10 1-2"	Grey eyes, dark hair.....scar over left eye }	Larceny.....	Marshall	February 19, 1853.....	February 7, 1856.....	Ireland.....	Pardoned November 16, 1853.
11	James Rannels.....	30	5 feet 9 3/4 inches.	Dark hair and eyes, left big toe partly cut off, }	Negro stealing.....	Bolivar	March 20, 1846.....	March 17, 1856.....	New York.....	Pardoned November 23, 1853.
66	Abraham Curry.....	20	5 feet 9 1-2 "	Black hair and black eyes.....	Larceny.....	Perry	May 20, 1852.....	May 11, 1856.....	Alabama.....	Died May 13, 1853.
71	William Leggett.....	22	5 feet 10 3/4 inches.	Sandy hair, grey eyes.....	Larceny.....	Tallahatchie	December 14th, 1852....	December 14th, 1854.....	Mississippi.....	Died November 10, 1853.
59	Benjamin Stephens.....	23	6 feet 2 3/4 inches.	Light hair and grey eyes.....	Assault to kill.....	Hinds	April 27, 1853.....	April 25, 1855.....	North Carolina.....	Pardoned June 20, 1853.
13	Charles McKinney.....	36	5 feet 9 5/8 inches.	Dark hair, hazel eyes.....	Indictment for murder.....	Warren	December 14th, 1852....	December 11, 1872.....	Indiana.....	Died October —, 1853.
6	James Johnson.....	34	5 feet 11 1-2"	Dark hair, hazel eyes.....	Passing counterfeit money..	Marion	April 22, 1853.....	April 14, 1855.....	Mississippi.....	Died October 29, 1853.

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INDEX.

[A.]

ACKER, Joel M.—Senator from Monroe, qualified,	4
elected President, <i>pro, tem.</i> ,	118
ADAMS, D. W., of Hinds, appeared,	3
ALLEN, H., Jr., of Yalobusha, &c., qualified,	4
ARTHUR, A. H., of Warren, qualified,	4
ABSENCE—leave of granted to Mr. Pope,	192
“ “ “ Farrar,	236
“ “ “ Asthur,	236
“ “ “ Bennett,	236
“ “ “ McWillie,	245
“ “ “ Graves,	275
“ “ “ Ellett,	275
“ “ “ Hemingway	321
“ “ “ Drane,	401
“ “ “ Pope,	429
ADDRESS—of President,	5
President, <i>pro. tem.</i> ,	137
ACCOUNTS—report of committee on,	514
(See also “Claims.”)	
ADJUTANT GENERAL—report of,	54
ADJOURNMENT—resolution for final,	415
ANNIVERSARY—22d February, adjournment,	388
AUDITOR—report of	33
authorized to have books posted,	499, 525, 526
ATTORNEY GENERAL—leave of absence,	533
APPORTIONMENT BILL....	333, 420, 429, 431, 442, 445
APPENDIX.....	545

[B.]

BANKS —of Copiah, &c., qualified.....	4
BEENE —of Itawamba, appeared.....	3
BENNETT , Jos., of Rankin, &c., appeared.....	3
BERRY , Joel H., Tippah, qualified.....	4

- BUNCH, M. J.**—elected secretary, ... 8
- BILLS**—for the benefit of James Dick Hill, ... 105
- to amend the Criminal laws, ... 105, 328
 - to authorize Sec, of State to employ clerk, ... 114
 - to incorporate Camargo Manufacturing Company, . . . 115
 - to grant pre-emption rights to settlers on Swamp
lands, ... 116, 223
 - to regulate the mode of selecting and empannel-
ing grand jurors, ... 116, 269
 - to amend the charter of the N. O. Railroad, ... 117
 - to incorporate the town of Crawfordsville, . . . 118, 119
 - for benefit of Vice-Chancellor middle district, . . 122, 130
 - in relation to property of J. and A. C. McCaleb, . . 127
 - to increase duties and salary of Att'y-General, . . 128, 159
 - to amend the Constitution of the State, ... 128, 266
 - for the benefit of Thomas C. Miller, ... 129
 - to increase salary of Governor, ... 131
 - to repeal 7th article of general provisions
of the Constitution, ... 137, 281, 303, 307
 - to change time of electing county officers, . . 138, 211, 303
 - to amend the Constitution, ... 138, 211
 - to declare Yazoo Pass navigable, ... 138, 159
 - to authorize Chancellor and Vice-Chancellors
to take acknowledgment of deeds, ... 139, 159
 - to allow and confirm last will of T. Y.
Grinstead, ... 144, 199, 314
 - to prohibit the circulation of bank bills, &c.,
under \$20, ... 147, 297
 - to incorporate Vicksburg Gas Light Company, 147, 156
 - to grant the right of way to Memphis and
Charleston Railroad, ... 149, 440
 - to aid in the construction of the N. O.,
Jackson and Great N. Railroad, . . 380, 411, 427,
437, 379, 155, 342, 355.
 - to authorize the sheriff of Hancock to use the jail
in Shieldsboro, ... 155
 - to change the time of holding the Circuit Courts of
Yazoo and Holmes, ... 157
 - for the benefit of insolvent debtors, ... 157
 - to authorize executors and administrators to make
advances to legatees, ... 157, 251
 - to provide for a special term of the Circuit Court
of Washington county, ... 158
 - to incorporate the town of Thomastown, ... 180, 191
 - to incorporate Monroe Female Institute, ... 180
 - to authorize E. B. Puckett to dispose of certain
land for benefit of Zion Seminary, ... 181, 295

- BILLS**--to change the time of holding the Probate Court of
 Holmes county, ...181
 to amend and reduce into one the several acts incor-
 porating the City of Natchez, ...184
 to create in the University a Professorship of go-
 vernmental science and law, ...184, 193
 to provide for quieting land titles, &c., in Hancock, 186
 to authorize Board of Police of Jackson to meet and
 organize, ...187
 to legalize the assessment rolls of Carroll, ...187
 to abolish the office of State Commissioner, ...188, 257
 for the preservation and safe keeping of the records
 of the several counties of this State, ...190
 to incorporate Pearl River Bridge Company, ...191
 to amend the act to incorporate Deer Creek Slack
 Water Navigation Company, ...191
 to legalize assessment rolls of Copiah, ...191
 to amend the act to provide for the management of
 schools and school funds in Copiah, ...191
 to authorize Thomas Whaley to sell Savalle property, 193
 to change the time of holding Probate Court of
 Wayne, ...195
 to re-establish fees of certain officers of Adams
 county, (vetoed,) 196
 to change the time of holding the Probate Court of
 Coahoma, ...196
 to authorize the school commissioners of Clark to
 execute valid lease to M. J. Sumrall, ...196
 to amend the act to reduce into one the several
 acts concerning executors, administrators, &c, 197, 246
 to amend the several acts granting commissions
 to executors, guardians, &c., ...198, 251
 concerning Hutchinson's Manual of Forms, . .198, 309
 for the benefit of the widow and heirs of Jno.
 A. Hairston, ...198, 228
 to regulate the Legislature of Mississippi, ...199
 granting ferry privileges to Johnson and Emer-
 son O'Neal, ...199, 313
 to provide for printing Wailes' Geological
 report, ...200, 303, 458
 to suppress tippling houses in Clark county, ...200
 to change the time of holding the Probate Court of
 Itawamba 201
 to make Eliza Robb, Ann House and J. F. House
 co-heirs of Delilah House, ...202
 to change the name of Jane Elvira Harris, ...210
 to change the title of an act supplemental to an act
 to amend the act incorporating the Mutual Life In-
 surance Company of Mississippi, ...211

- BILLS**—to prevent the destruction of oysters in the waters of this State, ...211
to change the name of Cornelia Martha Boyle....213
to authorize the overseers of the poor in Tippah county to sell the land on which the poor house is situated, ...215
to incorporate the Aberdeen Cotton Gin Factory,..220
to extend the limits of the town of Okalona,.....221
to amend an act reducing fees of certain officers therein named, so far as relates to Madison county, ...:221, 292
to repeal the act to prevent sacrifice of real estate, and to regulate sheriff's sales,.....221, 290
to exempt 100 bushels of corn from sale under execution, ...221, 290
authorizing the taking of the depositions of witnesses residing in this State,.....222, 304
to repeal all laws authorizing the taking of forthcoming bonds, ...223
in relation to 16th sections and common schools in Issaquena,.....223
for the benefit of 16th sections in Noxubee,.....223
to suppress the use of fire crackers,.....223, 292
to remove the Vice-Chancery Court from Columbus to Macon,.....223, 304
to regulate the terms of the Vice-Chancery Court of the Southern District Chancery Court, and of the first Judicial District, ...223
repealing the act designating in what Courts suit may be brought against the State,.....229
to define the duties of county treasurer and school commissioner of Chickasaw, ...229
to incorporate Port Gibson Collegiate Academy,....230
to amend the act to incorporate the town of Canton, 231
for the erection of a Military Asylum at Pascagoula, ...231, 245
further to amend the act to incorporate the Mississippi Central Railroad,.....236, 233, 294
for the relief of the sufferers by the late fire at Tchula 236, 249
to amend the act of 1852 for the reclamation of swamp and overflowed lands,.....236
to increase and change the terms of the Probate Court of Issaquena county, &c.,.....236
to incorporate Wilder Lodge, I. O. O. F.,...242, 319, 330
to prescribe the time of holding the Probate Court of Chickasaw,.....243

- BILLS**—to amend the common school law so far as relates to
 Pike county, ...244
 to prevent fraudulent dealings, ...255
 to incorporate the Baptist Church at Enterprize, ...255
 to authorize the transcribing of the records of Wayne
 county, ...255
 to grant to the Board of Police of Tippah county, cer-
 tain powers therein named, ...255
 to change the name of Ella Moore, ...256
 to incorporate the town of Clinton, ...256
 to amend an act to incorporate the Mississippi Manu-
 facturing Company, ...257
 for the repair of the Capitol and Executive
 mansion 257, 400
 to increase the per diem of members of Board of
 Police of Claiborne county, ...258
 to amend the act to reduce into one the several acts
 concerning 16th sections and common schools, so
 far as relates to Hinds county, ...258
 in relation to proceeds of sales of estrays in the
 county of Jefferson, ...258
 to amend the 2d section of an act to prevent the
 spread of small pox and other contagious diseases, 258
 to increase the per diem of Police members and Judge
 of Probate of Simpson county, ...260
 to authorize the Secretary of State to furnish the offi-
 cers of Hancock county, with the State reports, ..260
 to limit the power of the Board of Police of Han-
 cock county in levying taxes, ...260
 to incorporate Friendship Academy in Panola, ...260
 to amend an act to incorporate the Yazoo City and
 Big Black Plank Road Company, ...261
 to incorporate the Amite county railroad, ...262
 to reduce the price of Chickasaw school land in
 Leake county, ...265
 to amend an act to authorize county subscriptions to
 Railroad stock, ...265
 to incorporate Lake Roebuck Navigation Company, 244
 to repeal an act to provide for damages for destruc-
 tion of life or property on railroads, ...244, 328
 to incorporate Good Hope Academy, ...245
 to amend an act incorporating Cold Water Baptist
 Female Seminary, ...245
 to authorize the Probate Court of Winston county to
 order the sale of slaves of Melinda Duncan, a lu-
 natic, ...245
 to change the time of holding the Circuit
 Courts of the 6th Judicial District, ...245, 267, 271

- BILLS**—to prohibit the sale of vinous and spiritous liquors in township 5, range 2 west, Hinds county,.....246
- to incorporate Mount Salus Lodge No. 42, at Clinton 246
- to incorporate the town of Ocean Springs,.....247
- to divide the State into five Congressional districts,..248
334, 335, 336.
- to authorize the purchase of a number of Colton's maps, ...248
- to amend the laws in relation to Probate Courts, 250, 505
- to provide for the further issue of land scrip to aid in the construction of levees,.....249, 342
- to amend the act to incorporate the trustees of Zion Seminary, ...252
- to authorize the Alabama and Noxubee Railroad Company, to extend their Railroad into this State, 253
- to increase the revenue of the county of Hinds,....254
- to prohibit the construction of dams and levees in certain cases,.....254
- to amend the several acts incorporating the Southern Railroad Company,.....254
- providing the manner in which teachers of common schools in Copiah county shall present their claims, 254
- to change the name of Bertha Myers,.....255
- to attach section 4, township 21, range 11 e, to Chickasaw county, ...265, 274
- in relation to landlord and tenant in the city of Vicksburg, ...268, 449
- for the benefit of the citizens of Green county, ...269
- to incorporate the South-western Air Line Extension Railroad,.....271, 291, 311
- to repeal an act providing for the application of the common school fund of Marion county,.....271
- for the erection of a light-house at Pascagoula, ...274
- to incorporate the town of Webster,.....274
- to incorporate the Yazoo City Insurance Company,.....274, 276
- to amend an act to incorporate the Mobile and New Orleans Railroad.....275, 308
- to repeal an act to prescribe the mode of applying the school fund of Tippah county, ...276
- supplemental to an act to provide for the more prompt payment of witnesses in State cases,.....276
- to annex a portion of Yazoo to Warren,.....277
- to prohibit the circulation of bank notes less than five dollars in this State,.....277, 438, 496
- to repeal an act to incorporate Columbia Academy, 279
- to amend the constitution in relation to the Chancery Courts,.....282, 310, 313, 370, 377

- BILLS**—to empower the Board of Police of Pike county to
 remove the Lundy free negroes,.....283
 to repeal article 9, chapter 52, of Hutchinson's Code.290
 to provide for taking testimony by interrogatories,..290
 to legalize the acts of Eakin, Cade and Boyd, tax
 collectors of Attala,.....291
 to extend an act of 1850, in reference to writs of
 error and supersedeas,.....291, 295
 concerning conveyances, ...292
 to amend the act to establish an additional Superior
 Court of Chancery,.....292
 to incorporate Constitution Fire Company No. 1, of
 Vicksburg 296
 to provide for the arrest of fugitives from other
 States,.....296, 329
 to establish a Deaf and Dumb Institute at Pon-
 totoc, ...296, 323
 granting right of way to St. Louis, Helena and
 New Orleans Railroad, ...296, 311
 to incorporate Hills City Collegiate Institute,.....297
 to establish a ferry across the Mississippi at Vicks-
 burg 305
 to supply the classification of lands for Choctaw
 county for 1842, ...306
 to incorporate the Natchez and Meadville Plank
 Road 309
 to change the name of James R. Pigg,.....310
 further to amend the act to change the forms of plead-
 ings,.....312, 323
 to amend the act to incorporate the Grand Gulf and
 Port Gibson Railroad Company, ...312
 for the benefit of the University of Mississippi,..314, 329
 to legalize the acknowledgment of deeds, taken before
 members of Board of Police, ...325
 to change the time of holding the Courts of Leake
 and Attala,.....325
 to change the time of holding the Probate Court of
 Wilkinson,.....325
 to change the Judicial districts,.....325, 341
 to incorporate the New Orleans and New York
 Rail Road Company,.....326, 387
 to regulate the granting of license to retail vinous
 or spiritous liquors,.....326, 440
 to amend the laws of garnishment and attachment,..329
 to apportion the State,.....333, 420, 429, 431, 442,
 445, 495, 508.
 to incorporate Ellisville Lodge No. 161,.....333
 in relation to the rate of Interest.....334

- BILLS**—to abolish the office of Adjutant-General, ...334
to amend an act to reduce the fees of officers so far as
relates to certain counties named, ...336
to amend the charter of Jefferson College, ...337
to incorporate St. Mary's Orphan Asylum, ...337
to reduce the fees of Sheriffs and Probate Clerks of
Leake and Attala, ...337
to incorporate the town of Liberty, ...337
to legalize the returns of delinquent lands in Amite, 338
to amend the levee laws of Bolivar, ...338, 346
to incorporate the town of French Camp, ...339
to repeal all laws exempting school trustees of Clai-
borne from serving as jurors, ...339
to incorporate the Port Gibson and Homochitto
Plank Road Company, ...339
to amend Probate laws so far as relates to Claiborne
and Jefferson counties, ...340, 372
to authorize J. W. Halbert to establish a ferry, ...340
to amend the Constitution of Mississippi, ...341, 369
377, 387.
to authorize the Assessor of Covington to re-assess
said county, ...346
to incorporate the town of Union, ...346
to incorporate the Olive Branch and Cockrum Rail-
road Company, ...347
to establish common schools in Hancock, ...347
to change the name of Harriett M. Parker, ...347
to incorporate Bay St. Louis Masonic Lodge No.
147, ...347
to authorize the Mayor and Selectmen of Shieldsboro'
to raise a special tax, ...347
to change the name of Epha Dealman, ...348
to change the time of holding the Circuit Court of
Harrison, ...348
to incorporate Alpha Circle No. 1, ...348
to change the name of Geo. Toby, ...348
to incorporate first encampment of Good Fellows, ..348
to authorize a completion of Criminal law, ...249
to grant a charter to John Byram for a ferry
across Pearl river, ...349
to incorporate Central Female Institute, ...349
to amend the act of 1852 for the benefit of the State
University, ...353
to provide for the funeral expenses of Hon. Edmund
Smith, ...354
to change the line between Lafayette and Marshall, 354
to change the name of Francis Elizabeth Jane War-
rick, ...357

- BILLS**—to authorize the Mayor and Aldermen of Jackson to increase the rate of taxation, ... 358
- to incorporate Central Mississippi Female College, 358
- to incorporate the Lexington and Yazoo Valley Plank Road Company, ... 359
- for the improvement of the navigation of Little Deer Creek, ... 360
- to revive and continue in force the levee laws of Issaquena, ... 360
- to quiet titles to lands purchased under tax sales, . . . 365
- to amend the levee laws of Bolivar, . . . 365, 398, 450
- to require security for costs in certain cases, . . . 366, 523
- to repeal the acts of 1850 and 1852 in relation to the collection of taxes on delinquent lands, ... 367
- enabling editors more effectually to collect their dues, 368
- to establish a Vice-Chancery Court at Aberdeen, . . . 368
- supplemental to the Congressional District bill, . . . 369
- to amend act of 1852, granting right of way, &c., to New Orleans, Jackson and Great Northern Railroad, ... 370
- to declare Escataupa river a navigable stream, . . . 371
- to change the time of holding the Vice-Chancery Court at Paulding, ... 372
- to amend acts incorporating the Enterprize and the Quitman Bridge Companies, ... 372
- to revive the incorporation of Quitman, ... 372
- to regulate working of roads, &c., in counties named, 373
- to close certain streets in Ellisville, ... 373
- to authorize the drawing a special jury in Kemper, . . 373
- to legalize the assessment roll of Kemper, ... 374
- to incorporate the town of Paris, ... 375
- to amend an act in relation to the Treasurer of Lowndes county, ... 375
- to extend the corporate limits of Columbus, ... 375
- to incorporate the town of Barton, ... 376
- to incorporate the Lowndes Dragoons, ... 376
- to authorize the N. E. and S. W. Railroad Company of Alabama, to extend their road into this State, ... 378
- in relation to the school fund of Madison county, . . . 382
- to authorize the Board of Police of Madison to procure field notes of original survey, ... 382
- to amend an act of 1842 in relation to free negroes in Madison, ... 382
- to extend the corporate limits of Holly Springs, . . . 383
- to incorporate DeSoto Pigeon Roost Plank Road Company, ... 383

- BILLS**—to incorporate Red Banks Female Seminary.....383
to incorporate Byhalia Female Seminary,.....383
to incorporate Holly Springs and Hickory Flat and
Holly Springs and Chulahoma and Holly Springs
and Byhalia Plank Road Companies.,.....384, 420
to prevent the sale of liquors in certain localities in
Marshall county,.....384
in relation to swamp and overflowed lands in
Lowndes and Monroe,.....384, 385
to change the Probate laws so far as relates to the
county of Monroe,.....385
to incorporate the Aberdeen Fire Company No. 1,..385
to incorporate Camargo Branch Railroad Company, 385
to amend and reduce into one the acts incorporating
the town of Aberdeen,.....386
to amend the act of 1846 in relation to probating ac-
counts, ...388
to regulate the trial of slaves for crimes not capital, 390
supplemental to an act for leasing Chickasaw School
land 400
to incorporate Deer Creek and American Bend Rail-
road Company,.....400
to authorize county tax on Chickasaw School lands, 401
in relation to Mississippi and Tennessee Railroad,.. 402
supplemental to the same,.....402
to amend acts concerning insolvent debtors,.....402
to amend common school laws so far as relates to
Neshoba, ...406
to amend the act of 1852, to establish common schools
in Clark and Newton,.....406
to incorporate White Plains Lodge No. 191,.....407
to increase the pay of members of Board of Police of
Newton 407
to change the time of holding the Probate Court of
Perry,.....407
to authorize Jas. Cole to hawk and peddle,.....407
to establish a ferry and for other purposes,.....407
to legalize lease of section 16 : 12 : 5, in Copiah,..408
to provide for transcribing records of Smith county,..408
to incorporate Cooper's Well Company,.....408
to amend an act to incorporate the Southern Scien-
tific Institute,.....408
supplemental to the act for improving the naviga-
tion of Little Deer Creek,.....409
to encourage and establish a manufactory of clocks..410
to authorize the Secretary of State to transcribe
into separate books the State lands, ...416

- BILLS**—to repeal the act in relation to the town of Homochitto, ...420
- to incorporate New Albany Lodge of the Knights of Jericho, ...420
- to authorize the Board of Police of Scott to apportion the school fund, ...421
- to incorporate Hillsboro Branch Railroad Company, 421
- authorizing Board of Police of Madison to protect the property of the county, ...421
- to amend an act to incorporate Panola, ...421
- to incorporate Friendship Lodge, ...421
- in relation to the bonds of public officers, &c., ...422
- to provide for the appropriation of swamp lands on Pearl river, ...422
- to legalize lease of section 16 : 10 : 2 w., in Simpson, 422
- to authorize the increase of the school fund of Simpson, ...422
- to detach Sunflower from the 3rd and add it to the 6th Judicial district, ...422
- for the benefit of Sunflower county, ...423
- to establish a ferry across Yazoo river at the residence of Rachael Byrnie, ...423
- to authorize the Secretary of State to offer for sale lot 4, sec. 23 : 16 : 1 w., ...424
- to legalize the levy of county taxes for Sunflower, ..424
- to authorize the Board of Police of Tunica to increase the county tax, ...424
- to provide for keeping in repair public roads in Tunica, ...424
- to incorporate the Helena, Plank or Turnpike Road Company 424
- to incorporate Maple Springs Academy, ...424
- do. Westminster Academy, ...424
- to change the name of Matilda C. Farris, ...425
- to incorporate Carrollville Lodge No. 108, ...425
- to establish a system of common schools in Tishomingo, ...425
- supplemental to an act to provide for taking stock for the State in railroads, ...428
- to amend the act of 1821; to establish a Court of Chancery, ...429
- to provide for the purchase of an additional lot for the Blind Asylum, ...429
- to provide for completing and furnishing the Lunatic Asylum, ...442
- to annex a portion of Tallahatchie to Sunflower, 444, 496
- to incorporate the Tippah county Plank Road Company, ...446

- BILLS**—to authorize the city of Vicksburg to subscribe for stock in the Shreveport and Texas Railroad, ...449
 supplemental to an act to charter a ferry at Vicksburg, ...450
 for the benefit of Thos. Shelby, ...450
 to incorporate Newton College, ...451
 to change the name of Eveline D. Logan, ...451
 to amend the act incorporating Woodville, ...451
 granting leave of absence to Judge Posey, ...451
 to incorporate St. Paul's church, Woodville, ...451
 to establish a system of common schools in Franklin, 451
 to amend the charter of Jefferson College, ...452
 to dispose of the estate of A. F. Blades, ...452
 to incorporate the town of Winstonville, ...452
 to prohibit the sale of liquors near Zion Seminary, ..454
 to amend the several attachment laws of this State, 454
 to change the mode of conveying convicts to the Penitentiary, ...455
 to authorize Clerks of Courts to administer oaths, ...459
 for the appointment of officers of the Lunatic Asylum, 460
 amendtory of the several Revenue laws of this State, ...495
 to amend the levee laws of Tunica, ...496
 to provide a new Code of laws for the State, ..497, 523
 to authorize the Auditor to have his books posted, ...499, 525, 526
 to authorize the administrator of S. Caldwell to compromise with debtors of said estate, ...499
 to incorporate Octograde Seminary, ...499
 to change the name of Martha Ann Lewis, ...499
 to authorize the clerk of the Circuit Court of Yallobusha to index the books and papers in his office, 499
 to promote common schools in Calhoun county, ...499
 to amend an act to incorporate the Grenada Turnpike and Ferry Company, ...500
 to prohibit the sale of liquors in Grenada; 500
 to incorporate Silver Creek church, ...500
 for the benefit of M. and L. Munholland, ...500
 to amend the act to reduce the fees of certain officers so far as relates to Yazoo, ...500
 to amend the act to incorporate the trustees of 16th section : 10 : 2 east, ...501
 to secure titles on sales for levee taxes, ...501
 to amend the act to incorporate the Commercial Bank of Manchester, ...501, 522
 to amend the several acts incorporating the town of Macon, ...501

BILLS —to authorize Dorset White to build a toll bridge, ...	502
to provide patrols in Noxubee, ...	502
to declare 1st, 2nd and 3rd Bayous navigable, ...	502
to extend the time of executions in Choctaw, ...	502
to amend the act to establish a system of common schools in Shieldsboro, ...	503
to provide for transcribing records of Jackson county, ...	504
to increase the fees of certain officers of Harrison, ...	504
to prevent the sale of liquors in Polkville, ...	504
to allow fees to Justices of the Peace in Newton in certain cases, ...	505
to incorporate the Hernando and Cold Water Turn- pike Company, ...	505
to amend the common school laws so far as relates to Jones county, ...	505
to regulate the empannelling of grand juries in cer- tain counties, ...	505, 513
to incorporate the town of Philadelphia, ...	506
to incorporate Union Female College, ...	506
to extend the provisions of an act of 1822 concern- ing county treasurers, ...	507
to change the time of holding the Probate Court of Pontotoc, ...	507
in relation to the Clerk's offices, ...	507
to establish separate Inferior Courts of Chancery in each county, ...	508, 513
to increase the number of Laws and Journals, ...	523
to provide for the erection of suitable buildings for the Blind and Deaf and Dumb, ...	523, 524
to authorize the authorities of the city of Jackson to levy a special school tax, ...	523
to incorporate the Raymond and Cooper's Well Plank Road Company, ...	523
to provide compensation to certain sheriffs in certain cases	523
to amend the act to change the form of pleadings, ...	524
to prevent the sale of liquors in section 28: 14: 7 e, in Monroe, ...	524
to regulate the fees of certain officers in Neshoba, ...	524
to authorize the recording of Powers of Attorney, ...	524
to amend an act to authorize John C. Hudson to make a turnpike, ...	525
to pay Jurors on inquests, and forcible entry and detainer, ...	525
to change the mode of practice in cases of foreign attachment in chancery, ...	525
for the benefit of the grand children of the late Rich- ard Ross, ...	525

BILLS —to repeal the several acts in relation to attorneys and counsellors at law, ...	526
to regulate proceedings against foreign Insurance Companies, ...	525, 535
to authorize O. H. P. Townsend to build a turnpike across Cold Water, ...	527
to regulate the selecting and empanneling Grand Jurors in Madison, ...	528
to incorporate the Tennessee River Branch Railroad, ...	528
to authorize the transcribing of records &c., in Green county, ...	533
to authorize the voters of township 6; 2 west, to elect trustees, &c., ...	534
to incorporate Odd Fellows' Hall Company in Canton, ...	534
to authorize A. Johnson and others to erect a toll bridge on Big Black, ...	534
to regulate the service of process issued by Justices of the Peace in this State, ...	534
to authorize the county surveyors to appoint deputies, ...	535
to amend an act to authorize the Board of Selectmen of Kosciusko to impose a tax on retailers of liquors, approved Feb. 20, 1852, ...	535
to legalize the levy of the tax of Sunflower county for 1853, ...	535
to provide for the holding of the Circuit, Probate and Chancery Courts of this State, ...	535
to extend the provisions of the act to restore the records, &c., of Hancock county, approved Jan. 21, 1854, to the county of Covington, ...	539
making certain appropriations, ...	536, 537, 538
to provide for the trial of issues of fact made up in the Probate Court of Hinds, by Jury, ...	538
for the relief of Jonathan Benge, ...	111, 122
do James T. Rucks, ...	366
do the heirs of W. B. Terry, ...	425
do Samuel A. Ross, ...	425
do Andrew J. Howard, ...	501
do Albert James, ...	504
do Stephen Fatheree, ...	504
do Drucilla Smith, ...	128
do Sheriff of Warren, ...	117, 178
do the next of kin of Martin J. Malloy, dec'd., ...	138, 156, 275
do Thos. S. N. King, ...	147, 184
do A. B. McGowan, ...	149
do Yazoo county, ...	155

BILLS —for the relief of Robt. D. Whitfield, ...	180, 200, 205
do Caroline C. Johnson, ...	182, 219
do Herrin L. W. Walker, and others, minors, ("omnibus" bill)..	187, 247
do Mississippi College, ...	193
do E. R. Porter, ...	222
do James H. Yerger, ...	244, 252
do Joanna Garroway	261
do J. E. Montgomery and Thomas Smith	248
do Elizabeth A. Long, ...	290
do Wilmarth Female College, ...	314
do Spencer A. Bobo, ...	320
do Parthena E. Wheeler, ...	326
do R. M. Gill, ...	326
do A. B. Robinson, ...	338, 352
do J. M. McLean and J. B. Walton, ...	338
do Samuel Hale, ...	339
do Wm. Burt, ...	339
do B. F. Allen, ...	345
do Kitty and Jno. Curran, jr., ...	349
do Mariamne Hutchinson, ...	357
do William Thomas and Jackson Pitch- ford, ...	359
do Jacob K. Hill, ...	373
do Wm. McBride, ...	383
do Wm. Graham, ...	406
do Jefferson L. Wofford, ...	416
do N. R. and W. B. Sledge, ...	421
do Indiana Burnett, ...	449
do H. W. Green and others, minors, ...	449, 529
do Thomas H. Davis, ...	499
do sheriff of Yallobusha, ...	527
do Thomas H. Davis, ...	528
do Gabriel R. Connor, ...	538
BLIND INSTITUTE —report of trustees, ...	297

[C.]

CAPITOL —appropriation for repair of, ...	257
CENSUS —ordered printed, ...	102
motion in relation to, ...	102
CHAPLAIN —clergymen invited to officiate, ...	9
COMMITTEES —joint appointed to wait on Governor, ...	8
joint standing announced, ...	108
committee on Chickasaw School lands, ...	123
joint standing of the House	111

COMMITTEES, SPECIAL—	127, 138, 143, 144, 147, 149
	150, 157, 158, 178, 180, 181
	182, 188, 192, 208, 216, 226
	241, 257, 263, 266, 278, 279
	285, 310, 311, 324, 326, 328
	329, 332, 334, 338, 339, 341
	346, 347, 348, 352, 355, 372
	383, 394, 401, 427, 542.
	to wait on Governor elect,.....128
COBB, J. B., from Lowndes, qualified,.....	4
CLAIMS—of H. J. Harris,.....	130
of J. T. Hull, ...	156
of Juliett Jayne, ...	181
of Drs. Mercier and Carolin,.....	218
of Dr. Jos. Lemley, ...	218
of J. H. Redwine,.....	218
of J. T. Heard,.....	226
of S. C. Platner,.....	235
of Bruce and Hall, ...	321
of J. T. Simms,.....	327
of A. H. Bobo,.....	363
of J. T. Simms,.....	363
of J. E. Matthews,.....	426

[D.]

DRANE, James, qualified.....	218
DOCUMENTS accompanying Governor's Message....	33, 104
DAYS OF THE SESSION—Monday, January 2.....	3
Tuesday, January 3,.....	104
Wednesday, January 4,.....	108
Thursday, January 5,.....	110
Friday, January 6.....	116
Saturday, January 7,.....	122
Monday, January 9,.....	126
Tuesday, January 10,.....	129
Wednesday, January 11.....	137
Thursday, January 12,.....	142
Friday, January 13,.....	149
Saturday, January 14,.....	156
Monday, January 16.....	179
Tuesday, January 17.....	181
Wednesday, January 18,....	188
Thursday, January 19,.....	192
Friday, January 20,.....	196
Saturday, January 21,.....	202

DAYS OF THE SESSION—	Monday, January 23,.....	206
	Tuesday, January 24,.....	215
	Wednesday, January 25,.....	218
	Thursday, January 26,.....	225
	Friday, January 27,.....	230
	Saturday, January 28,.....	235
	Monday, January 30.....	242
	Tuesday, January 31,.....	248
	Wednesday, February 1,.....	256
	Thursday, February 2,.....	262
	Friday, February 3,.....	268
	Saturday, February 4,.....	175
	Monday, February 6,.....	279
	Tuesday, February 7,.....	283
	Wednesday, February 8,.....	288
	Thursday, February 9,.....	295
	Friday, February 10,.....	305
	Saturday, February 11,.....	310
	Monday, February 13,.....	314
	Tuesday, February 14,.....	320
	Wednesday, February 15.....	327
	Thursday, February 16,.....	332
	Friday, February 17.....	340
	Saturday, February 18,.....	356
	Monday, February 20,.....	360
	Tuesday, February 21,.....	377
	Wednesday, February 22.....	386
	Thursday, February 23,.....	388
	Friday, February 24,.....	408
	Saturday, February 25.....	426
	Monday, February 27.....	435
	Tuesday, February 28.....	452
	Wednesday, March 1.....	507
	Thursday, March 2,.....	527

[E.]

ELECTIONS—	of President, Secretary and Door-Keeper,..	4, 8
	of Sergeant-at-Arms and Printer,.....	106, 107
	of United States Senator,.....	125
	of Keeper and Clerk of Penitentiary, Li-	
	brarian and Reporter,.....	139, 155
	report of committee on elections,.....	353
ENGROSSED BILLS—	reports of committee on.....	122 &c.
ENROLLED BILLS—	reports of committee on.....	137, &c.
EDITORS and Reporters	invited to seats, ...	9
ELLETT, H. T., Claiborne,	qualified, ...	4

EDUCATION —report on.....	388
EXECUTIVE MANSION —report on	415

[F.]

FARRAR, A. K. .. appeared, ...	3
FEES —bill to increase fees of officers, ...	216

[G.]

GREER, R. S. , from Marshall, qualified,.....	4
GRAVES, Robert —Covington, &c., qualified,.....	162
GOVERNOR —resignation of H. S. Foote,.....	115
J. J. Pettus, sworn in as Governor, ex-officio, ...	118
official returns of election of,.....	120, 121
J. J. McRae inaugurated,.....	132
GEOLOGICAL REPORT	184

[H.]

HEMINGWAY, C. F. —from Carroll, appeared.....	4
motions, bills, &c., introduced	
by	112, 117
HOUGH, R. N. —from Jasper, appeared,.....	3

[I.]

INAUGURAL address of Gov. McRae;.....	132
motion to print, ...	137
INSPECTORS of Penitentiary appointed,.....	345

[J.]

JOHNSTON, W. L. —Yazoo, appeared	3
JOURNALS —proposition to print increased number of,.....	423
JUDICIAL DISTRICTS —to change,.....	325, 347

[K.]

KOGER, Joseph —Noxubee, qualified,.....	4
KEEPER OF PENITENTIARY —election of	139

[L.]

LEVEES —bills to aid in construction of.....	315
to amend acts,.....	496, 501

LIGHT-HOUSE at Pascagoula, ...	372
LAWS —to grant copies of to N. Y. Law Institute, ...	391
LUNATIC ASYLUM —appointment of trustees, ...	532

[M.]

McWILLIE , Wm., from Madison, qualified, ...	3
MONROE , J. J., Lauderdale, qualified, ...	3
MESSAGES —of Gov. Foote, ...	11
motion to print, ...	32
special messages of Gov. Foote, ...	109, 115
do do Gov. McRae, ...	325, &c.
from the House, .. 9, 105, 109, 110, 117, 124	
127, 129, 130, 132, 138, 142	
150, 156, 169, 181, 183, 184	
189, 192, 195, 196, 202, 212	
215, 216, 220, 225, 228, 231	
233, 246, 248, 253, 257, 263	
266, 268, 270, 280, 284, 285	
293, 303, 306, 312, 315, 319	
320, 330, 336, 345, 350, 370	
362, 367, 377, 380, 381, 386	
388, 395, 400, 403, 409, 410	
415, 422, 428, 436, 442, 445	
452, 458, 496, 498, 503, 505	
527, 528, 530, 533, 436, 537	
538, 539, 541, 542, 544.	
MEMORIALS —of James Dick Hill, ...	105
to Congress for grant of land to N. Orleans	
and Mobile Rail Road, ...	201
do for Gulf and Ship Island Rail Road, ...	223, 342
in relation to a stage route, ...	263, 348
do pensions, ...	354
for a grant of land to the N. Orleans and N.	
York Railroad, ...	502
to Congress, ...	504
MILITARY ASYLUM —letter from Secretary of War in	
relation to, ...	226

[N.]

NELSON —from Amite, appeared, ...	3
--	----------

[O.]

OLIVER , Simeon—of DeSoto, qualified, ...	4
--	----------

ORGANIZATION OF SENATE—notice of,.....8**[P.]**

PEGUES, A. H., Lafayette, qualified.....	4
POPE, George, Attala, appeared.....	3
PETTUS, J. J., Kemper, qualified.....	4
elected President.....	4
PENITENTIARY—report of Superintendent.....	59
do Inspectors.....	64
do Physician.....	68
do Chaplain.....	69
PETITIONS—of citizens of Leake.....	111
of James O. Wilson.....	112
of John M. Fleming.....	123
of James W. Williams.....	123
of C. A. Parker.....	126
of citizens of Polkville.....	126
of Thomas R. Miller.....	129
of W. Cary Crane and others.....	129
of H. J. Harris.....	130
of J. F. Foute.....	144
of S. L. George and R. Barnett.....	147
of citizens of Noxubee.....	147
of A. B. McGowan and others.....	149
of citizens of Holmes.....	150
of John T. Hull.....	157
of mayor and council of Vicksburg.....	156
of Wm. H. Johnson and wife.....	180
of Juliet Jayne.....	181
of Theodore Swift and T. W. Tate.....	181
of Aaron A. Carson.....	181
of Thomas L. Duncan.....	188
of citizens of Smith county.....	192
of citizens of Lafayette.....	203
of James M. Halbert and E. B. Strong.....	203
of citizens of Lafayette.....	216
of citizens of Pontotoc and Itawamba.....	216
of citizens of Lawrence.....	226
of D. G. Humphreys and others.....	226
of Dempsey Pace and Fredonia Rutledge.....	242
of citizens of Aberdeen.....	242
of citizens of Warren.....	262
of C. J. McRae and C. Egerton.....	275
of citizens of Yazoo.....	279
of ladies of Jackson.....	284
of citizens of Kemper.....	284

PETITIONS —of Mary A. Duncan.....	285
of ladies of Tishemingo.....	295
of citizens of Tishemingo.....	295
of Judiciary committee.....	295
of committe on Propositions and Grievances..	305
of citizens of Jefferson.....	310
of citizens of Choctaw.....	310
of citizens of Leake.....	310
of citizens of Harrison.....	311
of Wm. E. Stokes.....	321
of Bruce & Hall.....	321
of Methodist Conference.....	327
of citizens of Claiborne.....	332
of citizens of Lafayette and Marshall.....	351
of citizens of Columbus.....	351
of citizens of Aberdeen.....	351
of citizens of Columbus, (on Temperance)...	378
for relief of Kitty and John Curran.....	387
of James E. Matthews.....	426
of citizens of Rankin.....	427
PRESIDENT PIERCE , resolutions approving the adminis- tration of.....	126
PUBLIC BUILDINGS —report on.....	399
PROTEST —of certain Senators against New Orleans, Jack- son and Great Northern Railroad.....	522
of certain Senators in relation to the apportion- ment bill,.....	533
replication to the above.....	540

[Q.]

QUARTER-MASTER GENERAL —statement of,.....	57
---	----

[R.]

RAMSAY, A. W. —Jackson, &c.,.....	4
REYNOLDS, A. E. —Tishemingo, qualified,.....	4
REPORT —of committee appointed to wait on Governor,.....	10
of committee on printing documents, ...	116
of committee on increasing salary of Vice-Chan- cellor,.....	130
of committee to wait on Governor elect,.....	130
on bill for relief of next of kin of M. J. Malloy, ...	155
do do Sheriff of Warren,.....	178
of Judiciary committee,.....	182
of committee on internal improvements, ...	188

REPORT —of committee on internal improvements.....	204
do do	210
of Judiciary committee.....	211, 212
on petition of Halbert and Strong.....	228
of J. A. Hairston.....	228
of D. G. Humphreys.....	230
on incorporation of Ocean Springs.....	235
in relation to Military Asylum.....	245
of committee on judiciary.....	250, 251
of committee on county boundaries.....	251
of Judiciary committee.....	269
on bill to change time of holding Courts in the 6th district.....	271
of Judiciary committee.....	275
on Columbia Academy.....	277
of committee on temperance.....	289
of Judiciary committee.....	289, 290, 291, 292
of improvement committee.....	291
do do	311
on Air-Line Extension Railroad Company.....	311
of Judiciary committee.....	322, 323
of committee on Propositions and Grievances....	328
of Judiciary committee.....	328, 329
on bill to incorporate Wilder Lodge.....	330
on funeral of Hon. E. Smith.....	331
on New York and New Orleans Railroad bill....	334
on Congressional District bill.....	335
on amendments of the Constitution.....	341
on petition of J. W. Halbert.....	340
of Judiciary committee.....	341
of committee on Internal Improvements.....	387
of committee on Education.....	388
of committee on Propositions and Grievances....	390
of committee on Judiciary.....	390
in relation to Yazoo Court House.....	397
of committee on Public Buildings.....	399
in relation to Chickasaw School lands.....	400
in relation to pre-emptions.....	401
of committee on the Penitentiary.....	455
of Judiciary committee.....	458, 459
of select committees.....	460
of Levee Commissioners.....	461
on the clerk's offices.....	507
on apportionment.....	509
of committee on Accounts.....	514
on memorial of Lewis Lewis.....	539
RESOLUTION —apprising House of organization.....	8
appointing committee to wait on Governor...	8

RESOLUTION —in relation to election of Senator,.....	8
re-adopting rules of last session,.....	8
in reference to postage,.....	9
for counting votes for Governor,.....	108
calling for census returns,.....	112
in relation to Gov. Foote's message,.....	112
for information of Internal Improvement fund,.....	113
of Mr. Cobb on Federal relations,.....	113
in relation to attendance of witnesses,.....	116
calling on Secretary of State for information.....	117
in relation to President Pierce and Federal politics.....	126
in relation to funds for Blind Asylum.....	127
in relation to forfeited lands.....	127
on the death of Dr. Irby.....	128
on re-districting the State.....	143
on election of Penitentiary officers, &c.....	143
on Mr. McWillie's resolutions.....	148, 149
on resolutions authorizing Treasurer to use Trust funds.....	177, 178, 214, 215
against smoking in the Senate Chamber..	178
for apportionment.....	189
calling on Treasurer for information.....	189
in relation to printing of documents.....	189
in relation to Superintendent of Blind.....	190
of ivnuiry as to Swann's term of office.....	199
in relation to School Commissioners.....	199
do land taxes.....	205
do manufactures of Penitentiary.....	206
calling on State Commiesioner for information.....	227
as to salary of Keeper of Capitol.....	227
on Secretary of State's office.....	227
in relation to money loaned by the State to Jefferson College.....	235
in relation to press in Auditor's office....	243
do abolition of Chancery Court..	250
do a new county.....	263
do Jurisdiction of Justices.....	263
do room No. 5 in Capitol.....	267
do shelves in Auditor's office....	270
do submerged lands.....	306
do the laws of bastardy.....	306
do mileage.....	310
on the death of Hon. Edmund Smith.....	320
instructing committee to report resolution on the Nebraska bill.....	341

RESOLUTION —in relation to pay of Hon. Edmund Smith..	341
on resolution as to new county.....	353
in relation to error in patent to John Morris- son.....	367
for committee to select bills.....	377
in relation to re-modeling the clerk's offices.	401
limiting speeches of Senators to 10 minutes.	401
as amendments to apportionment bill..	429, 431
on motion to adjourn.....	432
on apportionment bill	445
in relation to the Nebraska bill.....	539
in relation to Lewis' cotton press.....	539
of thanks to officers.....	544

[S.]

STEELE, R. G. —Chickasaw, appeared.....	3
Stuart, E. C. —qualified, ...	4
STATE PRINTERS —election of,.....	106
SWAMP LANDS —call for information in relation to,.....	117
STATE COMMISSIONER —report of,.....	81
appointment of	273
SENATOR, U. S. —election of.....	125

[T.]

TREASURER --report of W. Clark,.....	40
report of S. L. Hussey,.....	43
special reports,.....	123, 208
TRUST FUNDS —resolution of enquiry,.....	117

[U.]

UNIVERSITY of Mississippi—acts in relation to,	193, 303 329, 353
---	----------------------

[V.]

VOTE of thanks to President,.....	528
do do to Secretary, &c., ...	544

[W.]

WEBB, B. R. —Pontotoc, qualified,.....	4
---	---

WEST, A. M.—Holmes, qualified,..... 4

[Y.]

**YAZOO COUNTY—reports on proposition to move county
site 397**

YEAS and NAYS, on bills and propositions as follows :

- on printing Governor's message, ...109
- on resolution in relation to same,.....113
- on bill to increase salary of Vice-Chancellor130
- on bill increasing Governor's salary,.....131
- of thanks to J. M. Acker,.....137
- on bill to repeal 10th sec., art. 7th, of
the Constitution 137, 281, 303
- for a committee on amendments of the Con-
stitution 158
- authorizing State Treasurer to use the trust
funds, ...177
- in relation to grant of land to Mobile and
New Orleans Railroad,.....201, 207, 287
- on bill for relief of R. D. Whitfield,....205
- on bill for relief of minors,.....247
- to amend Southern Railroad charter,.....255
- in relation to 6th Judicial District,.....267
- on appeal from decision of President,.....281
- to amend act of incorporation of Central
Railroad,.....283, 294
- on printing temperance petitions, ...284
- on bill to aid New Orleans Railroad and
amendments.....343, 355, 356
379, 381, 405, 412, 413, 414, 415, 427
428, 438.
- on removal of Vice-Chancery Court from
Macon,.....304
- on bill to abolish Chancery Courts,.....310
312, 370.
- in relation to Grand Gulf Railroad, ...312
- do do swamp land scrip,.....315
- on bill to incorporate Wilder Lodge,.....320
- do do authorize J. H. Halbert to estab-
lish a ferry,.....340
- on amendments to Congressional District
bill, ...335, 336
- on bill for benefit of editors,.....368
- on bill to establish Chancery Court at
Aberdeen 368
- on bill to amend the Constitution,.....369

YEAS and NAYS on bills and propositions, as follows:	
on motion to take up apportionment bill, ...	429, 442, 496, 508
on amendments to small note bill, ...	439
on amendments to liquor bill, ...	441
on appeal from decision of President, ...	444
on bill to annex part of Tallahatchie to Sunflower, ...	444, 445, 496
on Revenue bill, ...	495
on small note bill, ...	496
on the new code bill, ...	497
on amendment to apportionment bill, 508, 509	
on bill to erect buildings for deaf and dumb and blind, ...	524
on amendments to appropriation bill, 536, 537	
538.	